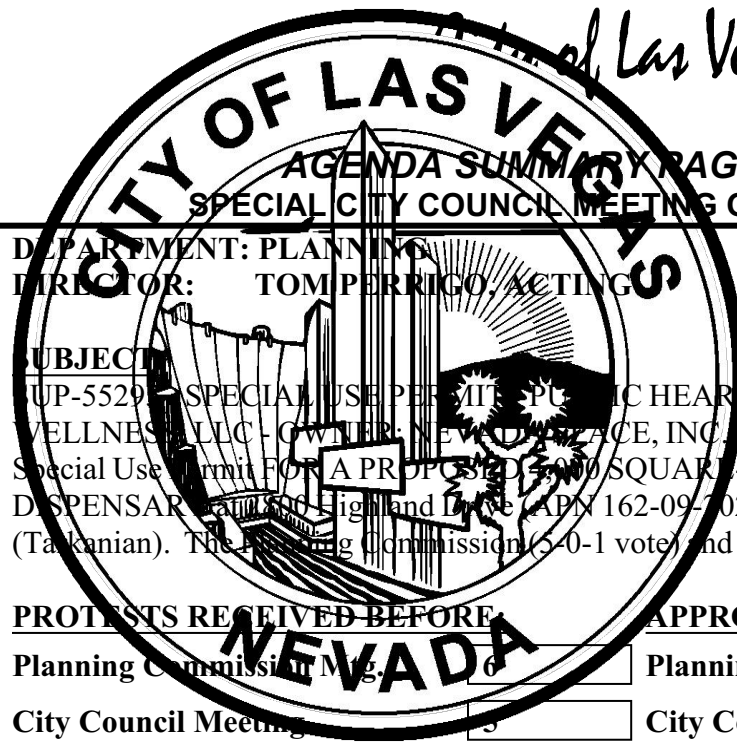




City of Las Vegas

Agenda Item No.: 19.

AGENDA SUMMARY PAGE - PLANNING
SPECIAL CITY COUNCIL MEETING OF: OCTOBER 28, 2014

DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO, ACTING

☐ Consent ☒ Discussion

SUBJECT: SUP-5529 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: M'LIFE WELLNESS, LLC - OWNER: NEW DAY PLACE, INC. - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,000 SQUARE-FOOT MEDICAL MARIJUANA DISPENSARY, 1000 Highland Drive (APN 162-09-702-007), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0-1 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and Staff recommend 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 Postcards
7. Backup Referenced from the September 23, 2014 Planning Commission Meeting

Motion made by LOIS TARKANIAN to Deny

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

BOB COFFIN, RICKI Y. BARLOW, LOIS TARKANIAN, STAVROS S. ANTHONY, STEVEN D. ROSS, BOB BEERS; (Against-None); (Abstain-CAROLYN G. GOODMAN); (Did Not Vote-None); (Excused-None)

NOTE: CITY CLERK BEVERLY BRIDGES announced that due to a technical difficulty, the Planning Commission members would be showing up on the voting screen, but would not be active voting members at today's meeting.

Minutes:

MAYOR PRO TEM ANTHONY declared the Public Hearing open.

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 28, 2014

ACTING PLANNING DIRECTOR TOM PERRIGO presented staff's report related to the Special Use Permit, which recommended approval with standard conditions. KAREN DUDDLESTEN, Business Licensing Manager, presented the deficiencies related to the Compliance Permit, noting staff recommended denial.

DAN LUTZ and DARVIN GOMEZ, applicants, were present. MR. LUTZ provided his background in the medical marijuana industry. He noted, as the result of a trademark dispute with MGM, the word Life would have to be removed from their brand. He stated they had partnered with Nevada Compassion Consultants to form a new company to develop the wellness and educational component of the business, with the intent to donate 10 percent of their net profits toward education for wellness activities and research.

VICKI HIGGINS, CINDY BROWN, MONA LISA SAMUELSEN and SHAY VEASY appeared in support, remarking that the applicant has a history of helping, caring about and understanding the needs of medical marijuana patients.

ADAM STERNBERG, Compassion Nevada Consulting, stated he has partnered with the applicant for the educational and patient outreach component and named the classes he has been conducting.

DAVID STUORS, personal friend and employee of MR. LUTZ, noted the strength of the applicants team and experience.

In response to the applicants request to submit the items staff noted were missing from their application, DEPUTY CITY ATTORNEY BRYAN SCOTT referenced Las Vegas Municipal Code 6.95.050(d) which states the Director shall not allow the modification of any application once the deadline for completed applications has passed. COUNCILMAN COFFIN requested that the applicant deliver the additional documentation to his office.

After verifying with MS. DUDDLESTEN that the backup information the Council had was up-to-date, COUNCILWOMAN TARKANIAN expressed concern with the applicants past business practices in California relating to medical marijuana.

MAYOR PRO TEM ANTHONY declared the Public Hearing closed.