



City of Las Vegas

Agenda Item No.: 39.

AGENDA SUMMARY PAGE - PLANNING
SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2014

DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO, ACTING

☐ Consent ☒ Discussion

SUBJECT: SUP-5527 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NATURAL MEDICINE LLC - OWNER: THE KOWALERS, INC. 4-0-1(K) PROFIT SHARING PLAN AND TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,414 SQUARE-FOOT MEDICAL MARIJUANA DISPENSARY at 2411 Western Avenue Suites, A, B and C (APN 162-416-011) MM (Industrial) Zone Ward 3 (Coffin). The Planning Commission (4-0-1 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 (4-0-1 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. Code Compliance Letter
6. Justification Letter
7. Submitted after Final Agenda - Protest/Support Postcards
8. Backup Referenced from the September 23, 2014 Planning Commission Meeting

Motion made by BOB COFFIN to Approve subject to conditions

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)

Minutes:

MAYOR PRO TEM ANTHONY declared the Public Hearing open.

TOM PERRIGO, Acting Planning Director, presented staff's report regarding the Special Use Permit (SUP) which recommended approval with standard conditions. KAREN DUDDLESTEN, Business Licensing Manager, reviewed the non-compliant issues and

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recommended denial of the Compliance Permit as the application did not conform to City code requirements.

GREG BORGEL, consultant, appeared representing the applicant noting that this business is 100 percent local ownership. Regarding staff's concerns about advertising, accounting and security, MR. BORGEL stated that applicant MORDECHAI YERUSHALMI will be a principal with this company, and for years his family has managed programs in privileged license areas that deal with these issues.

ELAD YERUSHALMI, applicant, believed the site is located in an ideal location. He reviewed his family's jewelry business history in the neighborhood, noting that their business faced the same kinds of security concerns as medical marijuana, including handling large amounts of cash, having security personnel and restricted areas in the facility, highly secured vaults, strict control policies and a close working relationship with the Las Vegas Metropolitan Police Department. MR. YERUSHALMI stated that every owner of the business completed certification by the Cannabis Training Institute. He reviewed the medical marijuana experience of The VonDank Group, who has been contracted as their consultant. MR. YERUSHALMI introduced the other owners of the business as MORDECHAI YERUSHALMI, GORMAN (not present) and ZE'EV YACOBOWSKI (not present), as well as consultants from the VonDank Group, RAMSEY DADI and MART BARRICK.

ERIC NEWSON, Floral 100, appeared in support stating that the applicants are familiar with the security involved with this type of business, and that it would enhance the security of the other businesses in the area. He also believed it would bring more foot traffic to the surrounding businesses.

MR. ELAD YERUSHALMI stated that a family member was diagnosed with leukemia and medical marijuana enabled her to fight through the pain. He stated that the industry, location and community are personal to them, and they will operate in a safe and responsible manner to make the community proud.

MR. BORGEL requested this item be moved forward.

In response to COUNCILMAN COFFIN'S request for more information regarding The VonDank Group, MR. BORGEL explained that a document was prepared and submitted to the Councilmembers' offices defining the qualifications of The VonDank Group. He also stipulated that The VonDank Group would come forward for suitability as a beneficial owner if deemed necessary.

MAYOR PRO TEM ANTHONY declared the Public Hearing closed.