



City of Las Vegas

Agenda Item No.: **93.**

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: AUGUST 14, 2018**

**DEPARTMENT: PLANNING
DIRECTOR: ROBERT SUMMERFIELD**

☐ Consent ☒ Discussion

SUBJECT: SUP-7381 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHALICE FARMS - OWNER: PALENSKY PROPERTIES I, LTD - For possible action on a request for a Special Use Permit FOR A 4,800 SQUARE FOOT MARIJUANA DISPENSARY USE at 9140 West Sahara Avenue (APN 13-05440-030), C-1 (Limited Commercial) Zone, Ward 2 (Seroka) [PN-73512]. Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 9/5/2018
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

16

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Protest Postcards and Protest Documentation Not Vetted - Comment Forms (3)
7. Submitted after Final Agenda Protest Postcards and Protest Documentation Not Vetted Comment Forms (3)

Motion made by CHRISTINA ROUSH to Hold in abeyance to 9/11/2018

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

CHRISTINA ROUSH, DONNA TOUSSAINT, TRINITY HAVEN SCHLOTTMAN, VICKI QUINN, LOUIS DE SALVIO, BRENDA J. WILLIAMS; (Against-None); (Abstain-SAM CHERRY); (Did Not Vote-None); (Excused-None)

NOTE: CHAIR CHERRY abstained from voting on Items 93-95 as his family is involved in the marijuana industry. COMMISSIONER SCHLOTTMAN disclosed that he has built several medical marijuana facilities and cultivation and testing facilities; he reviewed the ownership documents, and has not worked for any of them. As it would not affect his independence of judgement, he would vote on this item.

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Minutes:

VICE CHAIR QUINN declared the Public Hearing open.

NICOLE EDDOWES, Sr. Planner, reported that the site complies with all minimum distance requirements as set forth by Title 19.12; therefore, the use can be conducted in a compatible and harmonious manner with the existing surrounding land uses and future land uses as projected by the General Plan. Staff recommended approval. Additional protest letters were submitted since publication.

BEN ALLMAND appeared on behalf of Chance Farms. He stated that they are an experienced dispensary operator and own seven sites in Oregon. They chose the subject site as there is an existing facility on the property and a parking lot that has over 200 spaces that can be accessed by two main arterial roads.

COMMISSIONER ROUSH asked if this was their first operation in Nevada, and MR. ALLMAND explained it is their first dispensary, but they have cultivation and processing operations in northern Nevada. COMMISSIONER ROUSH expressed concern that a floor plan of the building was not submitted that shows the inside of the building and how customers would be received as they enter the building. She was also concerned about the security of the building and if there were provisions regarding how they would pick up and deliver their product and cash. The Commissioner received requests from COUNCILMAN CEROKA and the neighbors that there be a neighborhood meeting regarding this request.

MR. ALLMAND apologized for not submitting the additional information and addressed COMMISSIONER ROUSH'S concerns. He explained that they have strong operating procedures, and they run in-house security with several experienced IT (Information Technology) and security professionals in the installation, monitoring and storage of video and security equipment. In Oregon they contract with Panda World for all of their cash pickups and deliveries; the cash is flown to a company they have a banking relationship with in Colorado that is able to handle marijuana business, and they are working to set that up for their dispensaries in Nevada as well. The subject facility is listed as a 4,800 square-foot dispensary; however, there is office space in the back of the building that will be secluded and utilized for executives working in this market. The actual sales floor will be approximately 2,300 square feet. MR. ALLMAND described the procedure that would take place regarding product delivery, security and customer sales.

COMMISSIONER ROUSH thought the plan sounded good, but she had not been contacted and that information was not provided in time for her to familiarize herself with their operation. She was not in favor of this item at this time due to the concerns she expressed and thought abeyance might be an option.

COMMISSIONERS DE SALVIO and TOUSSAINT concurred with COMMISSIONER ROUSH'S remarks and COMMISSIONER TOUSSAINT thought a neighborhood meeting should be held.

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In response to COMMISSIONER SCHLOTTMAN'S suggestion regarding an alternative to holding the item in abeyance since this item would be considered by the Council, COMMISSIONER ROUSH reiterated that COUNCILMAN SEROKA would like the applicant to hold a neighborhood meeting. She did not feel there was enough time to accomplish that prior to the City Council meeting and wished to hold the item in abeyance. MR. ALLMAND was in agreement.

ROBERT SUMMERFIELD, Director of Planning requested that MR. ALLMAND meet with staff regarding the neighborhood meeting.

VICE CHAIR QUINN declared the Public Hearing closed.

