



City of Las Vegas

Agenda Item No.: **24.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: NOVEMBER 27, 2018

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐ Consent ☒ Discussion

SUBJECT:

UP-7464 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: RG HIGHLAND INTERPRETES, INC. - OWNER: RG HIGHLAND PROPERTIES, LTD. - For possible action on a request for a Special Use Permit PROPOSED 17,952 SQUARE-FOOT MARIJUANA CULTIVATION FACILITY USE at 3020 and 3030 South Valley View Boulevard (APN 162-08-302-000) (Industrial Zone, Ward 1, Tarkanian) [PRJ-74269]. Staff recommends APPROVAL.

C.C.: 12/19/2018

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

10

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. Letter from Baughman & Turner Law Office
7. Submitted after Final Agenda Protest Postcards and Protest Documentation Not Vetted Comment Forms (3)

Motion made by LOUIS DE SALVIO to Approve subject to conditions

Passed For: 5; Against: 0; Abstain: 2; Did Not Vote: 0; Excused: 0

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

NOTE: CHAIR CHERRY abstained from voting on this item as this application involves marijuana, and he is involved in the cannabis industry. COMMISSIONER SCHLOTTMAN abstained from voting on this item as he has ongoing business with the applicant and their representative.

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Minutes:

VICE CHAIR QUINN declared the Public Hearing open.

STEVE GEBEKE, Planning Supervisor, reported that the applicant is proposing to locate a Marijuana Cultivation Facility within an existing industrial building that meets all minimum development standards and distance separation requirements of Title 19.12; therefore, staff recommended approval. Additional protest letters have been received since publication.

AMY SUGDEN appeared on behalf of the applicant, RG High End Enterprises. She stated that her client had one of the first approved cultivation facilities in the city, and this is a relocation as he was displaced by Project Neon. MS. SUGDEN said that her client received a notice regarding the razor wire that is currently on site as this is a non-approved use. She requested that the notice be held as they will be addressing security on the property. She will report to Code Enforcement regarding the razor wire after the decision is made at this meeting.

COMMISSIONER ROUSH asked for clarification regarding the Statement of Financial Interest which shows that COMMISSIONER SCHLOTTMAN has a financial interest in the property. When he abstained from voting on this item, he did not declare a financial interest. MS. SUGDEN explained that her client was displaced and as part of the settlement domain they are required to obtain appraisals and valuations of the existing property. She consulted with and retained and paid COMMISSIONER SCHLOTTMAN's company, Haven Development, a nominal fee to provide a statement on the prior property. Given COMMISSIONER SCHLOTTMAN'S relationship with the Planning Commission and being close to this matter and the reason for the move, they listed him as having a financial interest. MS. SUGDEN confirmed for COMMISSIONER ROUSH that COMMISSIONER SCHLOTTMAN has no financial interest in the subject site of application.

VICE CHAIR QUINN declared the Public Hearing closed.

Subsequent to the motion and vote, COMMISSIONER QUINN asked about the razor wire issue, and ROBERT SUMMERFIELD, Director of Planning, stated that the SUP (Special Use Permit) is not an application where razor wire could be approved or disapproved; it would have to be done through a Site Development Review (SDR). He noted that he will speak with the Code Enforcement officer who is responding to this situation. He added that this body does not have the authority to halt Code Enforcement action on something that does not have an SDR or Variance before them. In the absence of those applications, the Planning Department will work with the applicant to determine the next steps; they may need to take down the razor wire temporarily or come forward with an SDR application to substantiate the need.