

VI. Planning & Zoning

10/02/18 PC

1. **UC-18-0645-NAE LP:**

USE PERMIT for a proposed hookah lounge in conjunction with an existing supper club (Ibiza) within an existing shopping center (Commercial Center) on a portion of 1.3 acres in a C-2 (General Commercial) Zone in the SOSA Design and MUD-2 Overlay Districts. Generally located 370 south side of Sahara Avenue and 575 feet west of Market Street within Winchester. CG/lm/ja (For possible action)

Moved by: Kenneth Dayton

Action: Approved with staff conditions

Vote: 4-0/ Unanimous

Voting Aye: Kenneth Dayton, Robert O. Mikes, Jr., John Delibos and Roxana Valladeres

Voting Nay: None

10/03/18 BCC

2. **AR-18-400178 (UC-0282-17)-SAHARA 250 RENO, LLC & SAHARA VANOWEN, LLC:**

USE PERMIT FIRST APPLICATION FOR REVIEW for a massage establishment within an existing shopping center (Commercial Center) on a portion of 2.7 acres in a C-2 (General Commercial) Zone in the SOSA Design and MUD-2 Overlay Districts. Generally located on the south side of Sahara Avenue, 300 east of State Street within Winchester. CG/tk/ja (For possible action)

Moved by: Kenneth Dayton

Action: Approved with staff conditions

Vote: 4-0/ Unanimous

Voting Aye: Kenneth Dayton, Robert O. Mikes, Jr., John Delibos and Roxana Valladeres

Voting Nay: None

3. **WS-18-0643-MMOF RE VEGAS, LLC:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow a hanging sign; **2)** allow a roof sign; **3)** increase wall sign area; **4)** allow alternative wall sign design; **5)** allow an animated (video) sign; and **6)** increase animated (video) sign area.

DESIGN REVIEW for signage in conjunction with an approved marijuana establishment (retail marijuana store & dispensary) on 0.6 acres in an M-1 (Light Manufacturing) Zone in the MUD-1 Overlay District. Generally located on the west side of Highland Drive, 750 feet south of Edna Avenue within Winchester. CG/gc/ja (For possible action)

Moved by: John Delibos

Action: Approved; 1 year from final inspection to review waivers 3, 4 & 5 to review illumination and animation timing.

Vote: 3-1/ Unanimous

Voting Aye: Kenneth Dayton, Robert O. Mikes, Jr., John Delibos and Roxana Valladeres

Voting Nay: None

VII. Public Comment
None

VIII. General Business

- a. Review/finalize FY 2019/2020 budget request(s) and take public comment on the budget request(s). (For possible action). **Board members requested improvements of the islands and landscaping around the sculptures, NS directional stop sign at the intersection of Burnham & Golden Arrow and flashing pedestrian sign at Palora/McLeod.**
- b. Appoint a Representative and Alternate to the Community Development Advisory Committee (CDAC) for 2018/2019. (For possible action) **The Board nominated John Delibos as primary CDAC member, Roxana Valladeres as alternate.**

IX. Next Meeting Date
The next regular meeting will be on Tuesday, September 25, 2018

X. Adjournment

XI. **The meeting was adjourned at 6:43 p.m.**

**ATTACHMENT A
WINCHESTER TOWN ADVISORY BOARD
ZONING AGENDA
TUESDAY, 6:00 P.M., SEPTEMBER 25, 2018**

10/03/18 BCC

1. **WS-18-0703-SAIA GABRIEL GOMES JR. REV LIV TR:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) Increase wall sign area; 2) allow a marijuana dispensary as the only business advertising on a freestanding sign; 3) allow roof signs where not permitted; and 4) allow an electronic or animated sign (graffiti wall) where not permitted in conjunction with an approved dispensary and retail marijuana facility.
DESIGN REVIEWS for the following: 1) wall signs; 2) a freestanding sign; 3) roof signs (lotus flowers); and 4) electronic sign (graffiti wall) on 9.2 acres in an M-1 (Light Manufacturing) Zone in the MUD-1 Overlay District. Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester. CG/mk/ja (For possible action)

SIGNAGE
(TITLE 30)

DESERT INN RD/HIGHLAND DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0703-SAIA GABRIEL GOMES JR. REV LIV TR:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** Increase wall sign area; **2)** allow a marijuana dispensary as the only business advertising on a freestanding sign; **3)** allow roof signs where not permitted; and **4)** allow an electronic or animated sign (graffiti wall) where not permitted in conjunction with an approved dispensary and retail marijuana facility.

DESIGN REVIEWS for the following: **1)** wall signs; **2)** a freestanding sign; **3)** roof signs (lotus flowers); and **4)** electronic sign (graffiti wall) on 9.2 acres in an M-1 (Light Manufacturing) Zone in the MUD-1 Overlay District.

Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester. CG/mk/ja (For possible action)

RE

LATED INFORMATION:

APN:

162-08-805-009

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the area of wall signs on the south elevation to 71 square feet where 30 square feet is the maximum for a marijuana establishment (a 137% increase).
2. Allow a marijuana dispensary as the only business advertising on a freestanding sign where the style of tenant panel is required for a marijuana establishment.
3. Allow 15 foot high roof signs (lotus flowers) where not permitted.
4. Allow a 12 foot high electronic (graffiti wall) sign where not permitted.

DESIGN REVIEWS:

1. Two wall signs.
2. A freestanding sign.
3. 13 roof signs (lotus flowers).
4. An electronic (graffiti wall) sign.

LAND USE PLAN:

WINCHESTER/PARADISE - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 2548 W. Desert Inn Road
- Site Acreage: 9.2
- Project Type: Signage for marijuana establishment (dispensary)
- Sign Height: 15 feet (freestanding sign)/15 feet (roof signs)/12 feet (electronic wall)
- Square Feet: 142 (2 wall signs)/202 (freestanding sign)/661.4 (13 roof signs)/2,004 (electronic wall sign)

Site Plans

The plans show an approved marijuana dispensary co-located with an approved retail marijuana store in an existing office/warehouse complex. The dispensary/retail marijuana store is located in the office/warehouse building on the east side of the site, the other building on the property is located near the southwest corner of the property. Parking spaces are located on the north, east, south, and west sides of the building. Access to the site is from Desert Inn Road to the south. This request is to increase wall sign area, and allow marijuana establishment to advertise as the only business on a proposed freestanding sign located on the front of the building. This application also includes the request to allow 13 roof signs and an electronic (graffiti wall) sign, which are not permitted by Title 30.

Signage

The plans show a globe type sculpture which is a freestanding sign in front of the building close to the main entrance of the facility. The 15 foot high globe sculpture which is also a water feature consists of a 202 square foot sign (Planet 13 Las Vegas) and is comprised of internally illuminated channel letters. The plans also show 2 wall signs, 71 square feet for each sign located on the south building elevation. The wall sign will consist of internally illuminated channel letters. Additionally, the plans show thirteen, 15 foot high roof signs (Lotus flowers). The flowers will light up with different colors. The plans also show a 12 foot high, 2,004 square foot electronic graffiti wall sign along the west property line. Electronic paint stations and an observation area are shown across the drive aisle within a landscaped area on the west side of the parking lot which is used by customers to create their own messages. Below is the summary of all requested signage (17 signs total) for the facility and their total area which is approximately 3,009 square feet.

Sign type	Proposed (sq ft)	# of signs	Proposed Total (sq ft)	Allowed per Title 30
Freestanding	202	1	202	Tenant panel only
Wall sign	71*	2	142	30
Electronic sign (wall)	2,004	1	2,004	NO
Roof sign	50.87 *	13	661.4	NO
Total		17	3,009.4	

*each

Applicant's Justification

The applicant states that the approved dispensary and retail marijuana dispensary signage is a state of the art and the signage requested will provide relief from a flat roof appearance with the unique 13 proposed flowers. The applicant adds that the proposed electronic graffiti wall allows customers to program messages for loved ones on the wall, or just use the paint stations to write a message. The applicant states that the subject site is located in the middle of an industrial area; therefore, the proposed signage will make it easier to reach the facility via taxi and Uber/Lyft ride sharing. Moreover, the applicant indicates that the additional signage will allow for a creative and unique experience for the customers and patients alike.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0122	Marijuana establishment (dispensary) in conjunction with an approved retail marijuana store; and design review for modifications to an existing office/warehouse complex consisting of 2 buildings	Approved by BCC	April 2018
UC-17-1076	Marijuana establishment (retail marijuana store) with a waiver to reduce parking and modifications to an existing office/warehouse complex	Approved by BCC	February 2018
UC-0722-06	Sales center in conjunction with an approved mixed-use development, and waivers for reduced parking and sign requirements - expired	Approved by BCC	July 2006
ZC-1697-04	Reclassified the property from M-1 to H-1 zoning for a mixed-use high-rise development - expired	Approved by BCC	February 2005

*The M-1 zoning for this site was established by the Board of County Commissioners in the 1950's.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Business and Design/Research Park	M-1	Office/warehouse development
East	Business and Design/Research Park & Commercial General	M-1	Office/warehouse & retail development

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waivers of Development Standards # 1 & #2 & Design Reviews #1 & #2

The purpose of the sign regulations for marijuana establishments is to provide reasonable yet appropriate conditions for identifying businesses and services rendered in these facilities by establishing the size, type and design of signs in relationship. The regulations for signage are designed to maintain and enhance the aesthetic environment of the area. Previous requests to increase wall signage and allow a sign to advertise only a marijuana business have been approved for reasons such as increasing visibility or the establishment being the lone business on the site. Although there are 2 buildings on the site, the design of the property creates the effect of one business along Desert Inn Road. Therefore, staff can support the proposed waiver requests and agrees with the applicant that the proposed freestanding “globe type sculpture” is more similar to an artistic feature. Additionally, the building is large and long; therefore, 2 wall signs are proportionally consistent with the existing building façade. The site is also within the industrial area and adding the “globe type” feature and wall signage enhances the site and improves the visual appearance of the building. Therefore, staff can support this request.

Waivers of Development Standards #3 & #4 & Design Reviews #3 & #4

Staff finds that the 13 lighted roof signs (Lotus flowers) and electronic paint wall are excessive requests. Title 30 does not allow electronic signs in conjunction with marijuana establishments. Additionally, Code prohibits roof signs. Allowing customers to program messages for loved ones on the proposed electronic (graffiti wall) sign may lead to customers providing misleading, false information or advertising about the uses permitted on the site. Therefore, staff cannot support these requests.

Staff Recommendation

Approval of waiver of development standards #1 and #2 and design reviews #1 and #2; and denial of waiver of development standards #3 and #4 and design reviews #3 and #4.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: MM DEVELOPMENT COMPANY, LLC
CONTACT: MM DEVELOPMENT COMPANY, LLC, 2015 STEPHANIE STREET, SUITE D-126, HENDERSON, NV 89074

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