



Winchester Town Advisory Board

Winchester Dondero Cultural Center

3130 S. McLeod Dr.

Las Vegas, NV 89121

August 29, 2023

6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Valerie Leiva at (702) 468-9839.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - If there are additional locations where supporting materials are available, insert them here. If not, delete this bullet.
 - Supporting material is/will be available on the County's website at specific Board/Council website.

Board/Council Members: Dorothy Gold, Vice Chairperson
 Judith Siegel
 Robert Mikes
 April Mench

Secretary: Valerie Leiva, (702) 468-9839, and valerieleivaccnv@outlook.com
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): County Liaison Beatriz Martinez: Beatriz.Martinez@clarkcountynv.gov
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

I. Call to Order, Invocation, Pledge of Allegiance, and Roll Call

II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state

BOARD OF COUNTY COMMISSIONERS
 JAMES B. GIBSON, Chair – JUSTIN C. JONES, Vice-Chair
 MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM
 KEVIN SCHILLER, County Manager

your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- III. Approval of Minutes for August 8, 2023. (For possible action)
- IV. Approval of the Agenda for August 29, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
 - 1. **UC-23-0487-2975 SAMMY DAVIS JR DRIVE, LLC:**
USE PERMIT for a cannabis establishment (consumption lounge).
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce separation from a non-restricted gaming property; and **2)** driveway geometrics.
DESIGN REVIEW for a proposed cannabis establishment (consumption lounge) in conjunction with an existing retail cannabis store on 0.9 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Sammy Davis Jr. Drive, 130 feet south of Resorts World Drive within Winchester. TS/jor/ja (For possible action)
BCC: 09/20/23
 - 2. **ZC-23-0478-S4A003, LLC:**
ZONE CHANGE to reclassify 1.4 acres from an M-1 (Light Manufacturing) Zone to a C-2 (General Commercial) Zone. Generally located on the west side of Sammy Davis Jr Drive, 750 feet south of Circus Circus Drive within Winchester (description on file). TS/sd/syp (For possible action)
BCC: 09/20/23
- VII. General Business
Review the previous fiscal year budget request(s) and take public input regarding suggestion for the next budget request(s). (For possible action)
- VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
- IX. Next Meeting Date: September 12, 2023.
- X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Winchester Dondero Cultural Center 3130 S. McLeod Dr., Las Vegas, NV 89121
<https://notice.nv.gov>



Winchester Town Advisory Board

August 8, 2023

MINUTES

Board Members:	John Delibos – Member – PRESENT Dorothy Gold – Member – PRESENT Judith Siegel – Member – ABSENT	Robert Mikes – Member – PRESENT April Mench – Member – PRESENT
Secretary:	Valerie Leiva (702)468-9839	valerieleivaccnv@outlook.com
County Liaison:	Beatriz Martinez (702)455-0560	beatriz.martinez@clarkcountynv.gov

I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions: & Valerie Leiva – Secretary. The meeting was called to order at 6:00pm

II. Public Comment: None

III. Approval of the July 25, 2023 Minutes

Moved by: Mikes
Action: Approved
Vote: 3-0

IV. Approval of Agenda for August 8, 2023

Moved by: Mikes
Action: Approved
Vote: 3-0

V. Informational Items:

VI. Planning & Zoning

1. **AR-23-400102 (UC-22-0190) -CIRCUS CIRCUS LV LLC:**

USE PERMITS FIRST APPLICATION FOR REVIEW for the following: **1)** recreational facility (concerts/events); **2)** live entertainment; **3)** fairground; and **4)** on-premises consumption of alcohol with accessory uses including food, beverage, and retail sales.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce separation from live entertainment to a residential use; **2)** reduce parking; **3)** reduce setback from the future right-of-way (Las Vegas Boulevard South); **4)** allow alternative street landscaping

BOARD OF COUNTY COMMISSIONERS

JAMES B. GIBSON, Chair – JUSTIN C. JONES, Vice-Chair

MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM

KEVIN SCHILLER, County Manager

and screening; **5**) allow landscaping and structures within the future right-of-way (Las Vegas Boulevard South); and **6**) allow non-standard improvements (landscaping and fences) within the right-of-way (Las Vegas Boulevard South).

DESIGN REVIEW for a recreational facility (concert/event/fairground/live entertainment facility) and all accessory buildings and structures on a portion of 77.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Sahara Avenue, west side of Las Vegas Boulevard South, north side of Circus Circus Drive, and the east side of Sammy Davis Jr. Drive within Winchester. TS/dd/syp (For possible action)

09/06/23 BC

Moved by: Delibos

Action: Approved

Vote: 4-0

2. **UC-23-0367-HARSCH INVEST PPTYS-NV II, LLC:**

USE PERMIT for a personal services business (beauty salon) within an existing industrial/commercial complex on a portion of 28.3 acres within an M-1 (Light Manufacturing) Zone. Generally located on the west side of Valley View Boulevard and the north side of Desert Inn Road within Winchester. JJ/hw/syp (For possible action)

09/06/23 BC

Moved by: Delibos

Action: Approved

Vote: 4-0

VII. General Business:None

VIII. Public Comment: None

IX. Next Meeting Date

The next regular meeting will be August 29, 2023

X. Adjournment

The meeting was adjourned at 6:14pm

CANNABIS
CONSUMPTION LOUNGE
(TITLE 30)

SAMMY DAVIS JR DR/RESORTS WORLD DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0487-2975 SAMMY DAVIS JR DRIVE, LLC:

USE PERMIT for a cannabis establishment (consumption lounge).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce separation from a non-restricted gaming property; and **2)** driveway geometrics.

DESIGN REVIEW for a proposed cannabis establishment (consumption lounge) in conjunction with an existing retail cannabis store on 0.9 acres in a C-2 (General Commercial) Zone.

Generally located on the west side of Sammy Davis Jr. Drive, 130 feet south of Resorts World Drive within Winchester. TS/jor/ja (For possible action)

RELATED INFORMATION:

APN:

162-09-302-007

USE PERMIT:

Allow a cannabis consumption lounge in conjunction with an existing retail cannabis store per Table 30.44-1.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the separation of a proposed cannabis consumption lounge to an existing non-restricted gaming property (Resorts World) to 205 feet where 1,500 feet is required per Table 30.44-1 (an 86% reduction).
2.
 - a. Reduce the driveway width to 28 feet 7 inches where a minimum of 32 feet is required per Uniform Standard Drawing 222.1 (a 9% reduction).
 - b. Reduce the driveway throat depth to 3 feet 5 inches where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (an 86% reduction).

DESIGN REVIEW:

Proposed cannabis establishment (consumption lounge) with an outside consumption lounge patio.

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2975 Sammy Davis Jr. Drive
- Site Acreage: 0.9
- Project Type: Proposed cannabis consumption lounge
- Number of Stories: 1
- Building Height: 27 feet, 8 inches
- Square Feet: 9,454 (approved with ADR-21-900548)
- Parking Required/Provided: 54/65

History, Site Plan, & Request

The approved plans via UC-0909-17 depict a 6,940 square foot retail cannabis store within an existing 9,454 square foot building. Original plans for the store showed only 6,940 square feet of retail space with the remaining area of the building not a part of the use. Revised plans were subsequently accepted to increase the area to 8,357 square feet. ADR-21-900458 was approved to expand the store to occupy the entire 9,454 square foot building. Access to the site is from Sammy Davis Jr. Drive to the east.

Today, the applicant is proposing to add a cannabis consumption lounge to the site. The existing building will remain; however, an outdoor consumption patio will be added to the southwest corner of the building. The main entrance will remain on the south facing elevation. Access to the consumption lounge is provided via an interior door only. Sixty-five parking spaces are provided on the east, west, and south sides of the building where 54 parking spaces are required. The existing driveway on the northeast corner of the site adjacent to Sammy Davis Jr. Drive will be closed with a landscape planter, and the driveway to the south will remain.

The applicant is requesting to reduce the separation of a proposed cannabis consumption lounge to an existing non-restricted gaming property to 205 feet where 1,500 feet is required. Lastly, the applicant is requesting to waive the required driveway geometrics (for driveway width and throat depth) for the southern driveway.

Landscaping

There is an existing landscape area with an attached sidewalk adjacent to Sammy Davis Jr. Drive. Since the northern driveway will be closed, the applicant is proposing to install a landscape planter with shrubs and 1 tree.

Elevations

The existing building has an overall height of 22 feet 6 inches with 2 decorative elements at the front entrance on the south elevation, which are 27 feet 8 inches tall. The proposed exterior finishes for the south and east elevations include a black decorative metal facade. The decorative columns have wood paneling, as well as a wood trim along the top of the building and a geometric pattern overlay on a smooth finish stucco wall.

The consumption lounge area is located on the southwest corner of the building. The plans show that a 6 foot high decorative screen fence will be installed around the perimeter of the outdoor patio and Bamboo trees will be planted on both sides of the fence.

Floor Plans

Currently, the building includes areas such as a lobby, check-in area, retail area, vault, offices, storage, breakroom, and restrooms. These areas are located on the east and northern half of the building. On the southwest corner of the building, the additional retail area will be remodeled to now include a new office, preparation area, a lounge area, and indoor consumption area which leads to the outdoor consumption lounge patio. The entire building has an overall area of 10,510 square feet. The retail portion of the establishment has an overall area of 7,314 square feet, the lounge is 2,140 square feet, and the outdoor consumption patio area is 1,056 square feet.

Signage

Signage is not a part of this request.

Applicant’s Justification

The proposed location is a free standing building with 49 parking spaces. The character of the neighborhood which houses the cannabis establishment will not be affected as this location will be co-located with an existing retail cannabis establishment and it is in the middle of an industrial area. Adjacent properties shall have no substantial or undue adverse effect as the facility has stringent security and will comply with State regulations. The applicant does not believe the traffic demand from this application will have an impact at the property. Furthermore, the applicant also developed an Impaired Driver Prevention Plan and has submitted its plan to Clark County's Office of Traffic Safety. The proposed use shall not result in a substantial or undo adverse effect on the public health, safety, or general welfare.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-21-900548	Exterior and interior modifications to a previously approved retail cannabis store	Approved by ZA	September 2021
ET-19-400113 (UC-0909-17)	First extension of time for a retail cannabis store	Approved by BCC	November 2019
UC-0909-17	Cannabis establishment (retail cannabis store)	Approved by BCC	September 2017
UC-1084-08	Transitional living facility for released offenders within an existing building - expired	Approved by BCC	December 2008
ZC-0436-07	Reclassified the subject site from U-V to C-2 zoning for a 512 room hotel	Approved by BCC	June 2007

*Additional land use applications have been approved on this site and are not related to this application.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	M-1	General commercial uses
South	Corridor Mixed-Use	M-1	Adult use (Sapphire)
East	Entertainment Mixed-Use	H-1	Resorts World
West	City of Las Vegas	M	Industrial uses

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

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.

Use Permit & Waiver of Development Standards #1

The applicant submitted a State of Nevada Cannabis Compliance Board approval for a prospective license for a cannabis consumption lounge. A certified separation survey was submitted which indicated that the existing establishment exceeds the separation requirement of 1,500 feet from a school or community facility. The survey also indicates non-restricted gaming property (Resorts World), is located within 205 feet of the proposed establishment. The existing cannabis establishment was in operation prior to the establishment of Resorts World. Therefore, the consumption lounge would be considered exempt from this separation requirement under state law, and approval of the waiver would be in conformance with state law.

The crime report indicates that within a 1 mile radius of the site, 1,078 crime reports were filed by the Las Vegas Metropolitan Police Department in the approximately 60 days prior to the application date. An Impaired Driver Prevention Plan was submitted which includes employee training, an alternative transportation plan, including a 24-hour no tow policy, and signage plan with concurrence from the Office of Traffic Safety. Submitted elevation plans depict that the outdoor consumption lounge will be screened from the right-of-way and adjacent businesses accordingly. In consideration of this information, staff can support these requests.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the reduced driveway width and reduced throat depth since there is not enough room on the site to comply with the minimum standards.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant to submit a recorded shared parking agreement with the adjacent business to the southwest to the Comprehensive Planning Department;
- A valid Clark County business license must be issued for this establishment within 2 years of approval, or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Department of Air Quality.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; any additional landscaping to comply with the Southern Nevada Water Authority Regional Plant List; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

Public Works - Development Review

- Reconstruct the southern driveway as a commercial pan driveway per Uniform Standard Drawings 222.1 and 224 or provide a 5 foot wide concrete sidewalk behind the existing driveway for compliance with the Americans with Disabilities Act (ADA);
- Reconstruct the northern driveway with full off-site improvements;
- 30 days to coordinate with Public Works - Construction Management Division and to dedicate any necessary right-of-way and easements for the Sammy Davis Jr. improvement project.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CHEYENNE MEDICAL SAMMY DAVIS RD263, LLC

CONTACT: AMANDA CONNOR, CONNOR & CONNOR PLLC, 2580 ANTHEM VILLAGE DRIVE, HENDERSON, NV 89052

DRAFT



CANNABIS ESTABLISHMENT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> SPECIAL USE PERMIT (UC) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION FOR REVIEW (AR) (ORIGINAL APPLICATION #) TYPE OF ESTABLISHMENT: <input checked="" type="checkbox"/> CONSUMPTION LOUNGE <input type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> DISPENSARY <input type="checkbox"/> DISTRIBUTOR <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input type="checkbox"/> PRODUCTION FACILITY <input type="checkbox"/> RETAIL CANNABIS STORE	STAFF APP. NUMBER: <u>UC-23-0438</u> DATE FILED: <u>7/12/23</u> PLANNER ASSIGNED: <u>NAI/LMN</u> TAB/CAC: <u>WINCHESTER</u> TAB/CAC DATE: <u>8/8/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>9/6/2023</u> FEE: <u>\$675</u>
	PROPERTY OWNER NAME: <u>Gabriel Gomes Saia Jr. Family Trust</u> ADDRESS: <u>2120 E. 6th Street, suite 16</u> CITY: <u>Tempe</u> STATE: <u>AZ</u> ZIP: <u>85288</u> TELEPHONE: <u>480-804-1076x 102</u> CELL: <u>480-220-2030</u> E-MAIL: <u>gabe@eires.com</u>
	APPLICANT NAME: <u>MM Development</u> ADDRESS: <u>2015 N. Stephanie D-126</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>702-815-1313</u> CELL: _____ E-MAIL: <u>lkoehler@planet13.com</u> REF CONTACT ID #: <u>165577</u>

CORRESPONDENT	NAME: <u>LAS Consulting-Lucy Stewart</u> ADDRESS: <u>1930 Village Center Circle Bldg 3-577</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: <u>702-499-6469</u> E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>
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ASSESSOR'S PARCEL NUMBER(S): 162-08-805-009; 502-002 ¹⁶²⁻¹⁷⁻ 162-08-899-034

PROPERTY ADDRESS and/or CROSS STREETS: 2548 West Desert Inn Road

PROJECT DESCRIPTION: Cannabis lounge in conjunction with an existng dispensary

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

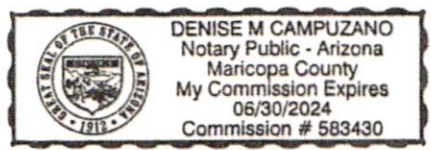
Gabriel Gomes Saia Jr. Gabriel Gomes Saia Jr.
 Property Owner (Signature)* Property Owner (Print)

STATE OF ARIZONA

COUNTY OF MARICOPA

SUBSCRIBED AND SWORN BEFORE ME ON 06/02/2023 (DATE)

By Gabriel Gomes Saia Jr.



NOTARY PUBLIC: *Denise M Campuzano*

*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

LAS Consulting
1930 Village Center Circle 3 #577
Las Vegas, NV. 89134
(702) 499-6469-cell
(702) 946-0857

UC - 23 - 0438

June 28, 2023

Ms. Nairee Agulian, Planner
Department of Comprehensive Planning
500 South Grand Central Parkway
Las Vegas, NV 89115

Re: Justification Letter – Cannabis Consumption Lounge
APN: 162-08-805-009/ APR-23-100712
2548 W. Desert Inn Road, Suite 140, Las Vegas, Nevada (“Location”)
MM Development Company Inc., a Nevada corporation

Dear Ms. Agulian:

MM Development Company Inc., a Nevada corporation (“Applicant”) hereby submits the enclosed Land Use Application for a Special Use Permit in connection with a Cannabis Consumption Lounge at the Location. The Location is currently zoned M-1 Light Manufacturing and is eligible for the referenced use without any waiver requests.

The purpose of the Applicant is to contribute to the general prosperity, health, safety, and welfare of the greater Clark County community, including the millions of tourists who frequent our communities annually, by providing a private cannabis consumption lounge for adult-use customers who are 21 years of age to gather for the purpose of education and promotion of cannabis for responsible recreational use in the greater Las Vegas area.

The proposed use will produce an environment of stable and desirable character consistent with the objectives of Title 30 and the Comprehensive Master Plan. There are no outstanding issues associated with the intended use, and it does not impose an undue burden on the surrounding area or adjacent property owners. There is no anticipated need for any public utility or public services beyond existing available services. There are no detrimental impacts of the proposed use, and the proposed use is consistent with the standards of approval listed for the Location’s current zoning.

The exterior and interior design of the Applicant is based on the premise of creating a professional environment and appearance as evidenced in the elevations provided for your consideration.

The Applicant is centrally located at 2548 W. Desert Inn Road, Suite 140 in M-1 zoning and has both parking, and secure entry doors with 24-hour monitored security. Planet 13 is an existing dispensary that creates an entertaining atmosphere while the customers shop. The entrance to the dispensary is located off the grand hallway. After identification is checked and a card is given to the customers to enter, customers may enter the dispensary using the card. There is a restaurant, banquet facility, CBD shop, and production facility have all been approved at this location. There is additional, empty warehouse space to the north of the approved uses. The lounge will be located across the hall from the dispensary in the warehouse area and is 1360 square feet. The dispensary is 24 hours a day, seven days a week and the applicant would like the lounge to be open the same-24 hours/7 days a week.

We believe this to be an asset to the area and provide a safe, secure place for guests to consume their purchases.

If you have any questions or need any additional information, please do not hesitate to call.

Yours truly,

Lucy Stewart

Lucy Stewart

COMMERCIAL BUILDING
(TITLE 30)

SAMMY DAVIS JR DR/CIRCUS CIRCUS DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-23-0478-S4A003, LLC:

ZONE CHANGE to reclassify 1.4 acres from an M-1 (Light Manufacturing) Zone to a C-2 (General Commercial) Zone.

Generally located on the west side of Sammy Davis Jr Drive, 750 feet south of Circus Circus Drive within Winchester (description on file). TS/sd/syp (For possible action)

RELATED INFORMATION:

APN:
162-09-203-006

LAND USE PLAN:
WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:
Project Description
General Summary

- Site Address: 2947 Sammy Davis Jr. Drive
- Site Acreage: 1.4
- Project Type: Commercial building
- Number of Stories: 1
- Square Feet: 20,290
- Parking Required/Provided: 64 (per UC-0444-05)/65

Site Plans

The plans depict an existing commercial/industrial complex. The existing building is constructed in a "C" shape with the building located along the north, west, and south sides of the property. Parking is located in the area between the building sections in the center of the site. Access to the site is from 2 existing driveways from Sammy Davis Jr. Drive. Past uses approved within this building include a tanning salon approved by use permit (UC-18-0748), supper club (expired) (UC-0979-04), beauty salon expired (UC-0539-14) and outcall services in the past. A total of 65 parking spaces are provided throughout the site.

Landscaping

No changes to the existing landscape area are proposed or required with this application. There are existing landscape areas consisting of palm trees, shrubs, and groundcover adjacent to Sammy Davis Jr. Drive.

Elevations

The building is 1 story with a flat roof behind a parapet wall. The exterior of the building has stucco finished walls, stone accents, and store front windows. The height of the building ranges from 20 feet up to 25 feet high to the top of the parapet.

Floor Plans

The building is divided into various suites ranging in size. No floor plan has been submitted at this time.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the existing commercial/industrial center is a 1 story inverted "U" shaped building with a total of 20,290 square feet. The 65 parking spaces provided are per an approved waiver (UC-0444-05) in 2005. Since the center was constructed in 1976 under Title 29 requirements the site will not comply with most Title 30 requirements. This request for C-2 zoning is to allow more flexibility of uses and tenant mix other than the current approval, since other uses typically allowed in a C-2 zone will still require additional discretionary approvals under the current M-1 zoning.

The center was originally approved and constructed under a previous County Code Title 29 which allowed retail and industrial uses in an M-1 zone. The Code at the time also allowed a tavern. Subsequently, Title 30 was adopted, and the Code required special use permits for most commercial uses within M-1 developments because of the higher parking requirements for commercial and on-premises alcohol uses. Therefore, most commercial uses require special use permits and impacted leasing in the center.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0748	Tanning salon	Approved by PC	November 2018
ADR-901285-17	Administrative design review for outcall entertainment	Approved by ZA	November 2017
ADR-901038-17	Administrative design review for outcall entertainment	Approved by ZA	September 2017
UC-0979-14	Allowed an on-premises consumption of alcohol establishment (supper club) - expired	Approved by PC	February 2015
UC-0539-14	Beauty salon within an existing industrial/commercial complex - expired	Approved by PC	August 2014

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-900778-12	Administrative design review for outcall entertainment - expired	Approved by ZA	October 2012
ADR-900801-11	Administrative design review for outcall entertainment	Approved by ZA	August 2011
UC-0444-05	Allowed retail and office uses within a commercial and industrial development with a waiver to reduce parking	Approved by PC	May 2005
UC-1307-04	Beauty salon within an existing industrial/commercial complex - expired	Approved by PC	September 2004

* Numerous administrative design review applications have been approved on the site for outcall promoters.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-1	Warehouse buildings & manufacturing
South	Corridor Mixed-Use	C-2 & M-1	Retail, warehouse buildings, & manufacturing
East	Entertainment Mixed-Use	H-1	Circus Circus Hotel & Resorts World Resort Hotel
West	City of Las Vegas	M	Warehouse buildings & manufacturing

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

Staff finds similar uses have been approved on the property in the past and the proposed use is compatible with the surrounding area. The request to re-zone this property to a commercial use with a zone change from M-1 to C-2 will help revitalize rehabilitation of an existing vacant or under-utilized commercial building. The parcel is within an area that is developed with a mix of commercial and industrial buildings and a variety of businesses immediately west of the resort corridor. The east side of the street is developed with resort hotels, while the west side of the street is mixed with a C-2 zoned parcel and other M-1 zoned parcels. The overall size of the existing building with limited parking makes the use of this property limited in scope. The desire of the applicant is to re-zone this property in order to allow for more viable and leasable option in the future. This request will make it possible for the owners to market and attract tenants to lease spaces for C-2 zoned commercial uses that are allowed by right within the center. The center while currently zoned M-1 is designed as a commercial center with smaller tenant spaces, which makes it impossible to rent for warehouse type uses. Staff can support this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that this is an approval of the zone change only and not the uses, parking will be reviewed for the site based on the uses of the future tenants, and a waiver for parking may be required upon review of each new use; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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

- 30 days to coordinate with Public Works - Construction Management Division and to dedicate any necessary right-of-way and easements for the Sammy Davis Jr. Drive improvement project.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ARTHUR SONG

CONTACT: CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV
89101