



Planning Commission Agenda Item

Date: May 12, 2021

Item No: 9.

TO: Planning Commission

FROM: Marc Jordan, Director Land Development & Community Services
Prepared By: Amy Michaels

SUBJECT: SUP-21-2021 S. NEVADA GROWERS TEMPORARY BUILDING (Public Hearing). Applicant: S. Nevada Growers. Request: A special use permit in an M-2 (General Industrial District) to allow a temporary building. Location: 3818 Octagon Road. (Ward 1)

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DESCRIPTION: (APN 139-12-510-014)

The applicant is requesting Planning Commission approval of a special use permit to allow a temporary building (POD). The site is located at 3818 Octagon Road and has a zoning designation of M-2, General Industrial District. The temporary building will house the proposed marijuana cultivation and production while the main building is being remodeled. The Comprehensive Master Plan Land Use designation for the subject site is Heavy Industrial.

BACKGROUND INFORMATION:

Previous Action
Special Use Permit (UN-10-19) for a Cultivation Facility for Marijuana and a temporary building was approved by Planning Commission on February 13, 2019.
Special Use Permit (UN-11-19) for a Production of Edible Marijuana Products or Marijuana-Infused Products was approved by Planning Commission on February 13, 2019.

RELATED APPLICATIONS:

Application #	Application Request
SUP-22-2021	A Special Use Permit to allow a cultivation facility for marijuana.
SUP-23-2021	A Special Use Permit to allow a Production of Edible Marijuana Products or Marijuana-Infused Products.

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Heavy Industrial	M-2, General Industrial District	Industrial Complex
North	Heavy Industrial	M-2, General Industrial District	Industrial Complex
South	Heavy Industrial	M-2, General Industrial District	Warehouse/Distribution (Prologis)
East	Heavy Industrial	M-2, General Industrial District	Industrial Complex
West	Heavy Industrial	M-2, General Industrial District	Industrial Complex

DEPARTMENT COMMENTS:

Department	Comments
Public Works:	No Comment.
Police:	No Comment.
Fire:	No Comment.
Clark County School District	No Comment.
Clark County Department of Aviation	No Comment.

ANALYSIS

The applicant is requesting Planning Commission consideration of a special use permit to allow a temporary building (POD). The site is located at 3818 Octagon Road and has a zoning designation of M-2, General Industrial District. The proposed temporary building is 624 (52 x 12) square foot. The proposed temporary building is a pre-fabricated building steel-frame trailer with fiberglass exterior painted white. According to the letter of intent, the proposed temporary building will be located in the rear of the property behind an existing block wall.

According to the letter of intent, the applicant is proposing to develop the site in three (3) phases. The first phase would consist of a temporary building located in the rear of the property. The temporary building will be utilized for both marijuana cultivation and production. The floor plan shows areas for cultivations, production operations and restrooms. The temporary building will be set back 15 feet from the east property line

which exceeds the required rear setbacks per code. The applicant has indicated that during the use of the temporary building the interior remodeling will be in process.

A special use permit for a temporary building is only valid for one year and must comply with the following requirements.

- a. The use of a temporary building shall be limited to principally permitted uses and special uses allowed in the district within which it is located.
- b. A special use for a temporary building may be approved only if construction or remodeling of a permanent facility to replace it is imminent.
- c. A temporary building shall comply with the building setbacks required in the district in which it is located.
- d. The required number of parking spaces shall be provided for the use contained within the temporary building.
- e. Barricades, if determined to be necessary for health and safety purposes, shall be provided.
- f. A temporary building shall conform to all other titles of the North Las Vegas Municipal Code.

Phase II contains a 4,692 square foot addition to the building; this phase would consist of two stories at ultimate building out.

Phase III construction would consist of removing the temporary building and remodeling the existing building.

According to the site plan, one driveway exist from Octagon Road. Approximately 15 parking spaces are proposed at the end of Phase III, where approximately 14 parking spaces are required. The site plan provided shows the existing building and the required parking for this facility. Since the proposed temporary buildings are for an interior remodeling and not an expansion, additional parking spaces are not required and the site is in compliance with parking requirements.

Staff has no objections to the proposed use. The proposed use is consistent with the M-2, General Industrial District zoning designation and the Heavy Industrial Comprehensive Master Plan, and is compatible with the surrounding area.

Requirements for Approval of a Special Use Permit

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following criteria are satisfied:

1. The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in Chapter 17.20 of this Code;
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.

CONDITIONS:

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. Temporary building shall be removed by May 12, 2022.

ATTACHMENTS:

Letter of Intent
Site Plan
Floor Plan
Elevation Photo
Clark County Assessor's Map
Location and Zoning Map