



Planning Commission Agenda Item

Date: July 10, 2024

Item No: 9

TO: Planning Commission

FROM: Alfredo Melesio, Jr., AICP, EDFP, Director of Land Development & Community Services
Prepared By: Sharianne Dotson, Principal Planner

SUBJECT: SUP-40-2024 DUNE PROCESSING (Public Hearing). Applicant: Dune ProCol LLC. Request: A Special Use Permit in an M-2 (General Industrial District) to allow the Production of Edible Marijuana Products or Marijuana-Infused Products. Location: 1011 East Alexander Road. (APN 139-11-102-001). Ward 2. (For Possible Action)

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DESCRIPTION:

The applicant is requesting Planning Commission consideration to allow the production of edible marijuana products or marijuana-infused products. The proposed site is approximately 9.04 acres located at 1011 East Alexander Road. The applicant is currently in the process of an ownership transfer and a relocation to the subject site. The parcel is currently zoned M-2, General Industrial District with a Comprehensive Master Plan land use designation of Heavy Industrial.

BACKGROUND INFORMATION:

BACKGROUND INFORMATION:

Previous Action
On March 14, 2018 Planning Commission approved a special use permit (UN-16-18) for a marijuana cultivation facility located at 2912 East La Madre Way for My Life Organics, LLC.
On August 11, 2021 Planning Commission approved a special use permit (SUP-46-2021) to allow outdoor manufacturing and production on the western portion of the site.
On December 8, 2021 Planning Commission approved a special use permit (SUP-71-2021) to allow a cultivation facility for marijuana.

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Heavy Industrial	M-2, General Industrial District	cultivation facility for marijuana and Outdoor Manufacturing
North	Employment	M-1, Business Park Industrial District	Amazon
South	Heavy Industrial	M-2, General Industrial District	139
East	Heavy Industrial	M-2, General Industrial District	Industrial Use
West	Heavy Industrial	M-2, General Industrial District	Industrial Warehouse

DEPARTMENT COMMENTS:

Department	Comments
Public Works:	See Attached Memorandum.
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 the production of edible marijuana products or marijuana-infused products at a facility located at 1011 East Alexander Road. The applicant is currently in the process of an ownership transfer and a relocation of the production facility to the 40,626 square foot building located at 1011 East Alexander Road. The location currently is an existing cultivation facility for marijuana (SUP-71-2021). The applicant has an active business license for the cultivation facility from the City of North Las Vegas. The site is currently M-2, General Industrial District.

The applicant will occupy a portion of the site located at 1011 Alexander Road. The Planning Commission approved a Special Use Permit (SUP-46-2021) on August 11, 2021, for an outdoor manufacturing and production facility on the western portion of the site. The site plan provided shows the applicant occupying the eastern portion of the site.

The applicant has also provided a distance separation survey showing that the facility meets the required distance separation from community facilities, residential properties, schools, or any nonrestrictive gaming facilities.

The applicant provided an existing floor plan for the facility. They will have one (1) vegetation/mother room; three (3) flower rooms; two (2) inventory rooms; one (1) cure room; three (3) packaging rooms; a trim area and two (2) dry rooms. The floor plan also indicates work areas, storage and offices. The proposed production facility will occupy a portion of the “future cultivation” area of the building.

Access to the site will be from two (2) driveways located on Alexander Road. The site plan contains a total seventy-three (73) parking spaces in the front, east side of the building, and the rear of the building. Parking is calculated at one (1) space per 1,000 square feet. The proposed use will require forty-one (41) parking spaces. The site appears to be in compliance with the parking requirements for the proposed use.



According to the provided building photographs, the existing building appears to be a concrete tilt-up structure with windows across the front. The building is painted brown and tan and appears to be in compliance with the industrial design standards. The applicant is not proposing any exterior modifications to the existing building; however, the applicant may need to apply for a tenant improvement-building permit for any interior modifications. The applicant did not provide landscape plans, however, it appears from the aerial photo of the site that there is landscaping along Alexander Road. The existing landscaping needs to be brought into compliance by adding the required trees within the perimeter landscaping adjacent to Alexander Road that have been removed per Title 17 requirements. This can be addressed during the building permit process.



A production of edible marijuana products or marijuana-infused products facility is permitted within the M-2, General Industrial District with the approval of a special use permit by the Planning Commission. According to Title 17, the following requirements must be demonstrated.

Distance Separation Requirements: The applicant must submit a survey from a Nevada licensed surveyor that demonstrates the proposed establishment meets the separation requirements of 1,000 feet from a school, 1,500 feet from a nonrestrictive gaming establishment (casino) and 300 feet from a community facility, and developed residential. The survey indicated that these requirements have been met.

Separate, Stand Alone Building or Facility: According to the site plan, the applicant is proposing to locate the production of edible marijuana products or marijuana-infused products within one (1) existing stand-alone building, co-existing with the existing cultivation facility.

Appropriately Zoned: The subject site has the appropriate zoning of M-2, General Industrial District.

Specific Use of the Facility: The applicant is proposing the production of edible marijuana products or marijuana-infused products within an existing marijuana cultivation facility. In addition, an existing outdoor manufacturing shares the site.

A Single Entrance: According to the floor plan, it appears that one (1) entrance is proposed for the building. There appears to be an employee entrance and all other doors appear to be egress doors for life/safety.

No Outside Storage: The site plan does not indicate that outside storage is proposed as part of this use.

Minimum Square Footage: The proposed production of edible marijuana products or marijuana-infused products will share space with the existing marijuana cultivation facility which is approximately 40,626 square feet in size. According to the ordinance for marijuana establishments, there are no minimum size criteria for production establishments.

In addition to the above requirements, there are several other requirements the applicant would need to comply with that cannot be determined with the submittal of a land use request. Those requirements include, but are not limited to maintaining discreet and professional signage, complying with life safety requirements, and ensuring there is no emission of dust, fumes, vapors, or odors.

Staff has no objections to the proposed use. The proposed use is consistent with the zoning designation of M-2, General Industrial District, and appears to be consistent with the criteria set for a marijuana establishment. In regards to compatibility with the surrounding properties, the applicant will need to ensure on an on-going basis that noise, odor, dust, or other external impacts do not negatively affect the surrounding properties. Furthermore, before issuance of any improvements or a business license, the applicant will need to ensure that appropriate facilities and services are in place.

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 facts exist:

1. The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
 - The proposed production of edible marijuana products or marijuana-infused products is permitted within the M-2, General Industrial District with an approved special use permit. The Comprehensive Master Plan is Heavy Industrial, which consists of zoning districts including but not limited M-2, General Industrial District. Therefore, the use is consistent with the existing Comprehensive Master Plan.
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;
 - The purpose of the M-2, General Industrial District to provide for the development of uses that, because of the nature of their operation, appearance, traffic generation, or emission, would not be compatible with

land uses in most other zone districts. The proposed production of edible marijuana products or marijuana-infused products is best suited for this M-2, General Industrial District.

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);
 - The proposed production of edible marijuana products or marijuana-infused products should not interfere with the existing industrial uses. The proposed use should not create a negative impact on the existing business.
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
 - This is an existing commercial center with a site plan layout for multiple pads. This addition of the proposed production of edible marijuana products or marijuana-infused products should have no significant impact to the surrounding office buildings, residents, and businesses.
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.
 - The proposed production of edible marijuana products or marijuana-infused products should not have a negative impact the existing facilities and services.

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. The applicant shall replace the required trees along Alexander Road that have been removed. Trees are required at 20 feet on center.

Public Works:

3. Approval of a traffic study update is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope. A queuing analysis may be required.

ATTACHMENTS:

Public Works Memorandum
Letter of Intent
Site Plan Floor Plan
Building Elevation Photo
Distance Separation Survey
Clark County Assessor's Map
Location and Zoning Map