

PARKING LOT  
(TITLE 30)

POLARIS AVE/DEWEY DR

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-22-0467-5 STAR DEVELOPMENT, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate street landscaping; **2)** eliminate parking lot landscaping; **3)** reduce setbacks; and **4)** required trash enclosure.

**DESIGN REVIEW** for a parking lot on 2.2 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the west side of Polaris Avenue, 670 feet north of Dewey Drive within Paradise. MN/md/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-29-301-021

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate street landscaping where required per Table 30.64-2.
2. Eliminate parking lot landscaping where required per Figure 30.64-14.
3.
  - a. Reduce the front setback for an existing chain-link fence to zero feet where 20 feet is required per Table 30.40-5 (a 100% reduction).
  - b. Reduce the setback from the right-of-way (Polaris Avenue) for an existing chain-link fence to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
  - c. Reduce the setback for existing access gates along Polaris Avenue to 3 feet where access gates shall be set back a minimum of 18 feet from the property line only if the gates remain open during business hours per Section 30.64.020 (an 83.4% reduction).
4. Waive the trash enclosure required per Section 30.56.120.

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 5455 Polaris Avenue
- Site Acreage: 2.2
- Project Type: Parking lot

### History and Request

ADR-20-900222 was approved by the Zoning Administrator (ZA) in April 2020 for a temporary parking lot with a condition to file the applicable land use application within 1 year. Subsequently, ADR-21-900231 was approved by the ZA in May 2021 with a condition to file the applicable land use application within 1 year. The applicant is now requesting the appropriate land use application for the subject property, consisting of waivers of development standards, and a design review for the existing parking lot. The project site has been secured by the applicant under a short term lease and has been used solely as a rideshare site for events at Allegiant Stadium since August 1, 2021.

### Site Plans and Parking Lot Operations

The site is within the Stadium District Plan. The plans depict an existing paved parking lot consisting of 2.3 acres located on the west side of Polaris Avenue, 670 feet north of Dewey Drive. Existing parking spaces are located around the perimeter of the site. Four double rows and a single row of parking spaces, oriented in a north/south direction, are located interior to the site. Twenty-seven parking spaces are situated along the south property line of the site, which is located within dedicated Clark County public right-of-way (APN 162-29-399-014). Two existing buildings measuring 4,977 square feet and 2,875 square feet, are located at the north portion of the site. Access to the site is granted via 2 existing driveways adjacent to Polaris Avenue. The driveways are secured by rolling access gates, which require a waiver of development standards to reduce the setback from the property line. An existing 6 foot chain-link fence transitions to an existing 5 foot high block wall along the west property line of the site. A 5 foot high block wall is located along the north property line while a 6 foot high chain-link fence is located along the east and south property lines of the site. Waivers of development standards are necessary to reduce the zoning district and right-of-way setbacks for the existing chain-link fence. An existing 5 foot wide attached sidewalk is located along the east property line, adjacent to Polaris Avenue. A total of 220 parking spaces are provided within the interior of the site. No site or landscaping improvements are proposed with this application.

The applicant indicates that on event days, Polaris Avenue north of Russell Road is converted to a one-way street with northbound traffic restricted to Stadium visitors and area businesses only. Las Vegas Metropolitan Police Officers provide traffic control along Polaris Avenue. and Stadium attendants support the needs of Metro as well as manage vehicular movement at this site. Stadium attendants load and unload vehicles on-site solely through the southernmost driveway on Polaris Avenue.

### Landscaping

No street landscaping exists along Polaris Avenue and no landscape finger islands are provided within the interior of the site, necessitating the requirement for the corresponding landscape waivers of development standards.

### Signage

Signage is not a part of this request.

### Applicant's Justification

Over the last year of operation, this parking lot has experienced high utilization on event days. As is the case for all Stadium controlled parking lots, this parking lot is a pre-paid lot on event days. This practice allows on-site Stadium attendants to load vehicles in a much more efficient manner, which leads to reduced congestion on Polaris Avenue. The lot's close proximity to Allegiant Stadium has provided Stadium attendees with convenient access to the Stadium site. Attendees utilizing this lot are able to walk across Polaris Avenue to the Stadium site. Civil plans for the construction of a pedestrian crosswalk on Polaris Avenue just south of this site are currently in Clark County Public Works for review.

With respect to the waivers to eliminate street and parking lot landscaping, the applicant believes that consideration of long-term landscaping improvements for a lot that operates under a short term lease and, therefore, may not be part of the applicant's long term parking plan, should be deferred at this time. Regarding the remaining waiver requests, the following points should be considered. First, this lot is used on an infrequent, intermittent basis to support the parking needs of the Stadium for larger events. The infrequent use of this parking lot minimizes the impacts of the setback reductions on surrounding properties. Second, as is the case for all of the off-site parking facilities secured by the applicant to address the parking demand at the Stadium, the applicant believes the interests of the Stadium and surrounding businesses are best served by maximizing parking capacity at approved parking lots. Reducing setbacks allows for maximized parking capacity. Strictly enforced setback requirements would significantly reduce the current parking capacity at applicant controlled parking lots. In addition, the applicant believes that having fewer parking lots, each maximizing parking capacity, will enable Stadium staff and Las Vegas Metropolitan Police Officers to more effectively manage vehicular traffic and pedestrian movement on event days.

On all Stadium event days requiring the activation of this lot for attendee parking, the applicant provides trash receptacles for those parking at this site. At the conclusion of the event, Stadium clean-up crews empty trash receptacles, clean-up the entire parking lot, and remove trash receptacles and place them in storage until the next scheduled Stadium event. In this regard, the parking lot is used solely for special events held on an intermittent and infrequent basis, making permanent trash enclosures intended for business entities with full-time occupancy unnecessary.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADR-21-900231	Parking lot	Approved by ZA	May 2021
ADR-20-900222	Parking lot - expunged	Approved by ZA	April 2020
UC-0833-08	Offices as a principal use; on-site paving and reduced street landscaping; office addition with outside storage	Approved by PC	October 2008
ZC-25-81	Reclassified the project site to M-1 zoning for an office/warehouse building	Approved by BCC	April 1981

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	M-1	Warehouse
South	Entertainment Mixed-Use	M-1	Office/warehouse building
East	Entertainment Mixed-Use	H-1	Allegiant Stadium
West	Entertainment Mixed-Use	M-1	Industrial and warehouse buildings

### Related Applications

Application Number	Request
WS-22-0458; UC-22-0461; WS-22-0463; WS-22-0464; DR-22-0465; WS-22-0466; and UC-22-0468	Additional requests for parking lots are related applications on this agenda.

### 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 and #2

The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. The intent of street landscaping is to enhance the perimeter of the project site, improve the aesthetics of the site along public rights-of-way, and to provide a buffer between parking areas and the adjacent streets. The request to waive the required landscaping is a self-imposed burden; therefore, staff cannot support these requests.

##### Waiver of Development Standards #3

The existing chain-link fence and access gates provide security to the project site; however, the fence encroaches into the building and right-of-way setbacks required per Code. Furthermore, the fence encroaches into the required street landscape areas along Polaris Avenue, which is required to be a minimum width of 6 feet. Therefore, staff cannot support this request.

#### Waiver of Development Standards #4

Code requires all developments, except for single family residential developments, to provide interior or exterior enclosures for all refuse containers per the standard of the local trash service provider unless the provider certifies that refuse is not generated on the site. Staff recognizes the temporary use of the property as a parking lot; however, given the activities that will take place (event attendee parking) and the potential for littering, staff recommends denial with a condition to provide on-site areas for trash collection.

#### Design Review

Staff recognizes the intent of the project site is to provide parking to stadium attendees on event days. However, the design of the parking lot cannot function independently of the waiver of development standards requests; therefore, staff cannot support the overall design review.

#### **Staff Recommendation**

Denial.

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:**

##### **Current Planning**

If approved:

- Areas for trash collection to be provided on-site.
- Applicant is advised that the County is currently rewriting Title 30 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**

- No comment.

##### **Fire Prevention Bureau**

- No comment.

##### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Paradise - denial.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LV STADIUM EVENTS CO

**CONTACT:** DON BURNETTE, 12125 LOS ARROYOS CT., LAS VEGAS, NV 89138