

PARKING LOT
(TITLE 30)

HACIENDA AVE/DEAN MARTIN DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-23-400046 (UC-22-0461)-ITAI INVESTMENTS, LLC:

USE PERMIT FIRST APPLICATION FOR REVIEW for a parking lot.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate street landscaping; **2)** eliminate parking lot landscaping; **3)** reduce setbacks; **4)** increase fence height; and **5)** required trash enclosure.

DESIGN REVIEW for a parking lot on 1.9 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

Generally located on the north side of Hacienda Avenue and the west side of Dean Martin Drive within Paradise. MN/jud/syp (For possible action)

RELATED INFORMATION:

APN:

162-29-205-008

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 and side street corner setbacks for an existing chain-link fence to 5 feet where 10 feet is required per Table 30.40-6 (a 50% reduction).
 - b. Reduce the setback from the right-of-way (Dean Martin Drive and Hacienda Avenue) for an existing chain-link fence to 5 feet where 10 feet is required per Section 30.56.040 (a 50% reduction).
 - c. Reduce the setback for existing access gates along Dean Martin Drive and Hacienda Avenue to 6 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 (a 66.7% reduction).
4. Permit an existing non-decorative 6 foot high chain-link fence within the required zoning district setbacks where a maximum fence or wall height of 3 feet is permitted per Section 30.64.020 (a 100% increase).
5. 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: 5285 Dean Martin Drive
- Site Acreage: 1.9
- Project Type: Parking lot

History & Request

ADR-20-900225 was approved by the Zoning Administrator in April 2020 for a temporary parking lot with a condition to file the applicable land use application within 1 year. Subsequently, ADR-21-900233 was approved by the ZA in May 2021 with a condition to file the applicable land use application within 1 year. Application UC-22-0461 for a use permit, waivers of development standards, and a design review for the existing parking lot was approved by the Board of County Commissioners in November 2022 with the condition to file an application review as a public hearing.

Site Plans & Parking Lot Operations

The site is within the Stadium District. The original plans depicted an existing paved parking lot consisting of 1.9 acres located at the northwest corner of Dean Martin Drive and Hacienda Avenue. Existing parking spaces are located around the perimeter of the site. Three double rows and a single row of parking spaces, oriented in an east/west direction, are located interior to the site. Access to the site is granted via 2 existing driveways adjacent to Dean Martin Drive, necessitating a waiver of development standards to reduce the setback for the existing access gates. A third access point is granted via an existing driveway adjacent to Hacienda Avenue. A waiver of development standards was also required to reduce the setback for the existing access gate along Hacienda Avenue. A total of 223 parking spaces are provided within the interior of the project site. An existing 6 foot high chain-link fence is located along the south and east property lines of the site, with corresponding waivers of development standards to reduce the zoning district and right-of-way setbacks. The chain-link fence has been removed from the west property line of the subject parcel to permit cross access to the adjacent site, APN 162-29-205-005. Attached sidewalks measuring a minimum width of 6 feet are located adjacent to Dean Martin Drive and Hacienda Avenue. Allegiant Stadium is located immediately to the south of the parking lot, across Mandalay Bay Road. No site or landscaping improvements were proposed with this application.

The applicant indicated that on stadium event days, the parcel is used solely to provide rideshare services in support of the transportation needs of Allegiant Stadium. The adjoining parcel to the west, APN 162-29-205-005, is used primarily to provide stadium attendees arriving and departing by rideshare with safe and convenient access between the rideshare lot and the stadium site. This site is served by 2 existing driveways off Dean Martin Drive and 1 driveway on Hacienda Avenue. On stadium event days, vehicular traffic on Dean Martin Drive is turned one-way southbound, hours before the start of the event. Metropolitan Police Department provides traffic control on Dean Martin Drive and all southbound non-stadium traffic is diverted westbound on Ali Baba Lane. The 2 southbound Dean Martin Drive lanes south of Ali Baba Lane are used by rideshare vehicles serving the stadium, and all rideshare vehicles enter the site through the 2 driveways off Dean Martin Drive where they are guided to vehicle queuing lanes

on-site for the purpose of picking-up or dropping-off stadium attendees. Upon pick-up or drop-off, all rideshare vehicles depart the site to Hacienda Avenue either through the driveway on the south side of the parcel or through the driveway on the adjacent parcel APN 162-29-205-005, where all vehicles are forced to make right hand turns on Dean Martin Drive. Jersey barriers are used on-site to separate vehicles and pedestrians and generally run the length of the parcel boundary between APN 162-29-205-005 and APN 162-29-205-008.

Landscaping

Aerial photographs depict 2 existing trees located at the southeast corner of the site, adjacent to Dean Martin Drive and Hacienda Avenue. The landscape area along Dean Martin Drive measures 5 feet in width, and features limited groundcover. The existing landscape area along the southeast corner of the site, adjacent to Hacienda Avenue and Dean Martin Drive, measures 7 feet in width and also contains limited groundcover. Aerial photographs also depict 170 linear feet of an improved surface (parking spaces) located immediately behind the existing attached sidewalk along Hacienda Avenue. Due to the very limited landscaping along Dean Martin Drive and Hacienda Avenue, a waiver of development standards was required to eliminate street landscaping. Landscape finger islands were not provided within the interior of the parking lot and required a waiver of development standards to eliminate parking lot landscaping. A waiver of development standards was required to permit the existing 6 foot high chain-link fence within the required zoning district setback and street landscape area along Dean Martin Drive and Hacienda Avenue.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-22-0461:

Current Planning

- Until May 17, 2023 to review as a public hearing;
- Areas for trash collection to be provided on-site.
- Applicant is advised they are responsible to submit review application in a timely manner; 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 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.

Applicant's Justification

The applicant states the site has been secured by Stadco under a short-term lease and has been used solely as a rideshare site for events at Allegiant Stadium since August 1, 2021. This parking lot has experienced high utilization on event days. The lot's proximity to Allegiant Stadium has provided stadium attendees arriving by rideshare with convenient access to the stadium site.

Attendees utilizing this lot can make the very short walk across Hacienda Avenue, which is closed to vehicular access on event days, to the stadium site. During Stadium events, there are stadium attendants stationed at this site augmented by officers from the Las Vegas Metropolitan Police Department in the area to direct traffic and pedestrian movement on-site and on area roadways.

At the Board of County Commissioners November 16, 2022, zoning meeting when this item was originally heard, the applicant informed the Board of County Commissioners this parcel was under a lease set to expire in early 2023, and requested the item be held for review to provide the applicant an opportunity to extend the lease. Over the following months Stadco and the property owner reached an agreement to extend the term of the lease; however, the extension is of a short nature.

The original application included 5 different waivers of development standards 1) eliminate street landscaping where required per Table 30.64-2; 2) eliminate parking lot landscaping; 3) reduce setbacks; 4) increase fence height; and 5) required trash enclosure. As with the other companion items originally heard by the Board of County Commissioners in November 2022 the applicant is requesting approval of waiver of development standards #2 through #5. As for waiver of development standards #1, last November Stadco offered to make financial contribution to the County for street landscaping in an amount commensurable with the costs for acquiring and installing street landscaping required under Title 30, and to do this in lieu of installing street facing landscaping for Stadco controlled parcels under short term leases. The lease for this site has been extended until July 31, 2025, Stadco once again offers to make the financial contribution to the County for street landscaping in the same manner as was done under WS-22-0467 and UC-22-0468.

Additionally, the applicant submitted a letter stating that they have met the second condition of approval for this original application, which reads: "Areas for trash collection to be provided on site".

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0461	Parking lot	Approved by BCC	November 2022
ADR-21-900233	Parking lot	Approved by ZA	May 2021
ADR-20-900225	Parking lot - expunged	Approved by ZA	April 2020
VC-0289-93	Freestanding sign	Approved by PC	April 1993

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Motel
South	Entertainment Mixed-Use	H-1	Allegiant Stadium

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East*	Entertainment Mixed-Use	H-1	Luxor Resort Hotel
West	Entertainment Mixed-Use	M-1	Parking lot

* Immediately to the east is I-15

Related Applications

Application Number	Request
AR-23-400044 (WS-22-0466)	A request for an application review for an existing parking lot is a related item of this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**

Title 30 standards of approval for an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred since the original approval.

The Stadium District Development Plan states that future development can increase dedicated open space to improve the capacity for outdoor group activities year-around. Parking is necessary to bring people to the area; however, it should be situated in places and designed in ways to support the area. Landscaping allows to soften hard edges and creates welcoming environment. Also, it enhances the user experience throughout the Stadium District by incorporating desert appropriate landscaping.

Furthermore, landscaping works as a mitigating factor to specific environmental issues that paving creates, like stormwater run-off and heat vulnerability. The use of landscaping along the street and within the parking lot is to soften the view of the primarily paved and open lots. The original requests to waive the required landscaping and provide non-decorative fences along the perimeter of the site were approved on short term lease bases. Staff is concerned by extending the lease and removing the application review time limit the requested waivers of development standards will become permanent. Therefore, staff cannot support the application review request.

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:

Comprehensive Planning

If approved:

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- 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 and application for review; 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

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - denial.

APPROVALS:

PROTEST:

APPLICANT: LV STADIUM EVENTS, CO.

CONTACT: DON BURNETTE, 12125 LOS ARROYOS COURT, LAS VEGAS, NV 89138