

TEMPORARY COMMERCIAL USE
(TITLE 30)

DEWEY DR/POLARIS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-22-400111 (UC-21-0518)-SUHADOLNIK FAMILY TRUST:

USE PERMITS FIRST APPLICATION FOR REVIEW of the following: **1)** temporary commercial events (Tailgate Zone); **2)** allow live entertainment after daytime hours; **3)** allow elimination of parking for temporary commercial events; **4)** reduced setbacks; and **5)** allow more than 1 temporary commercial event in a month and more than 12 events in a year on 0.4 acres in a M-1 (Light Manufacturing) (AE-65) Zone.

Generally located on the north side of Dewey Drive, 387 feet west of Polaris Avenue within Paradise. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

162-29-401-009

USE PERMITS:

1. Allow a temporary outdoor commercial event (Tailgate Zone) not licensed through, or on the same property as, an existing licensed business as required per Table 30.44-1.
2. Allow live entertainment after daytime hours where not permitted per Table 30.44-1.
3. Allow for elimination of parking for a temporary commercial event where required per Table 30.44-1.
4. Reduce the setback from property lines to zero feet where 10 feet is required for outside activities, live entertainment, and temporary structures per Table 30.44-1.
5. Allow more than 1 temporary commercial event per month and more than 12 temporary commercial events per year where limited per Table 30.44-1.

LAND USE PLAN:

WINCHESTER/PARADISE – COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 3550 W. Dewey Drive
- Site Acreage: 0.4
- Project Type: Temporary commercial events

Site Plans

The approved plans depict an existing warehouse with parking on the south side of the building off Dewey Drive, and open yard area on the east and north sides of the building. The existing Tailgate Zone includes fencing along the existing parking area and street entrance which would eliminate vehicular traffic on the site. The yard area east of the existing structure includes an area for a restroom trailer, bar and retail area, and food truck area. There are 2 elevated seating areas (couches and low tables); 1 on the north side of the building and the other along the east property line on the northern side of the site. A stage with associated video walls is located on the northern boundary on the site. High-top tables are in the interior of the site. Access to the site will be through the fenced entrance from Dewey Drive. The above structures and activities are located along the north and east property lines, with no setbacks from the adjacent properties.

Landscaping

No landscaping was required or proposed with the original request.

Elevations

An existing 4,000 square foot building is used for storage of temporary structures associated with the use.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-21-0518:

Current Planning

- Until November 2, 2022 to commence and review as a public hearing.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; 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.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Applicant's Justification

The applicant states the Tailgate Zone is the place to be for guests before, during, and after attending home team NFL games at Allegiant Stadium, providing a safe space to enjoy food, drinks, and entertainment. The applicant further states that the Tailgate Zone caters to the

demand of the guests attending the NFL games at Allegiant Stadium by turning this industrial area into an alternative location for tailgate celebrations on special event dates. The Tailgate Zone provides a safe and temporary place for locals and visitors alike, where guests may eat food, enjoy refreshments, listen to, and watch live entertainment all within 0.3 miles of the stadium. In addition, the applicant states during the 2021-2022 football season, The Tailgate Zone successfully hosted tailgate parties and entertained guests before 5 Home Raiders Games. Since the approval of application UC-21-0518, several improvements have been made to the property including resealed asphalt, professionally installed artificial grass turf and paved entry, as well as, a new chain-link fence gate and 4-H safety bollards with chain at the entry of the parking lot.

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Entertainment Mixed-Use	M-1	Warehousing
South	Public Use	M-1	NV Energy substation

STANDARDS FOR APPROVAL:

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

Analysis

Current 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.

Staff has reviewed the property records to see if any zoning related issues have been reported to the Public Response office, in relation to operational uses for a temporary commercial event on-site. As of submission of the application review application no formal complaints have been reported; therefore, staff can support this review with no additional review. However, since this property is located within the Stadium District, staff believes Temporary Outdoor Commercial Event applications shall be approved prior to each event to monitor future events.

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:

Current Planning

- Remove the time limit.
- A Temporary Outdoor Commercial Event application shall be submitted to the Comprehensive Planning Department and approved prior to each event.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: TIMOTHY RHAUGHINBERRY

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