

PARKING LOT  
(TITLE 30)

**UPDATE**  
HACIENDA AVE/DEAN MARTIN DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-22-0461-ITAI INVESTMENTS, LLC:**

**HOLDOVER USE PERMIT** 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/md/syp (For possible action)

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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 and Request

ADR-20-900225 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-21-900233 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 applications for the subject property, consisting of a use permit, 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 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 is 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, which is a related item (WS-22-0458) for a parking lot on this agenda. 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 are proposed with this application.

The applicant indicates 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 officers provide 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

Recent 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. Recent 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 is required to eliminate street landscaping. Landscape finger islands are not provided within the interior of the parking lot, and require a waiver of development standards to eliminate parking lot landscaping. A waiver of development standards is 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 is not a part of this request.

#### Applicant's Justification

Over its 9 months of operation, this parking lot has experienced high utilization on event days. The lot's close proximity to Allegiant Stadium has provided Stadium attendees arriving by rideshare with convenient access to the Stadium site. Attendees utilizing this lot are able to 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.

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 transportation needs of the Stadium. The infrequent use of this lot minimizes the impacts of the setback reductions on surrounding properties. Second, during large events, this parcel receives significant vehicular volume during peak times. Reducing setbacks for the existing chain-link fence would result in less on-site space to process rideshare vehicles and, as a result, increased congestion on Dean Martin Drive. Reduced setbacks on Hacienda Avenue would have no adverse impacts on

the surrounding area as it terminates on the western boundary of this parcel, and is only used on event days in support of Stadium operations.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
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**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	H-1	Motel
South	Entertainment Mixed-Use	H-1	Allegiant Stadium
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**

<b>Application Number</b>	<b>Request</b>
DR-22-0465; UC-22-0468; WS-22-0458; WS-22-0463; WS-22-0464; WS-22-0466; and WS-22-0467	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**

##### Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

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.

Staff finds the use of a parking lot is appropriate at this location due to the proximity of Allegiant Stadium. The existing parking lot is utilized to provide event attendees arriving and departing by rideshare with safe and convenient access between the rideshare lot and Allegiant Stadium. The Las Vegas Metropolitan Police Department is also present on event days ensuring proper traffic control procedures are implemented for efficient circulation of vehicles. Therefore, staff recommends approval of this request.

#### 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.

#### Waivers of Development Standards #3 and #4

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 Hacienda Avenue and Dean Martin Drive, which are required to be a minimum width of 6 feet. Therefore, staff cannot support these requests.

#### Waiver of Development Standards #5

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 (rideshare services) 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 event attendees arriving and departing by rideshare with safe and convenient access between the rideshare lot and Allegiant Stadium. 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**

Approval of the use permit; denial of the waivers of development standards and design review.

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 - approval of the use permit; denial of the waivers of development standards and design review.

**APPROVALS: 1 card**

**PROTESTS: 2 cards**

**COUNTY COMMISSION ACTION:** October 4, 2022 – HELD – To 11/02/22 – per the applicant.

**APPLICANT:** LV STADIUM EVENTS CO

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