

07/07/21 BCC AGENDA SHEET

RESORT CONDOMINIUMS
(TITLE 30)

ELVIS PRESLEY BLVD/LAS VEGAS BLVD S

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400079 (UC-0233-07)-JDR OWNER, LLC:

USE PERMIT THIRD EXTENSION OF TIME to increase the number of resort condominiums (with kitchens) in conjunction with an approved resort hotel (The Drew Las Vegas) on 24.5 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the northeast corner of Las Vegas Boulevard South and Elvis Presley Boulevard within Winchester. TS/jgh/jo (For possible action)

RELATED INFORMATION:

APN:

162-09-617-001; 162-09-617-002

USE PERMIT:

Permit 1,020 resort condominiums (with kitchens) where 959 resort condominiums were previously approved (UC-0932-06) for a resort hotel (The Drew Las Vegas).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 2777 Las Vegas Boulevard South
- Site Acreage: 24.5
- Project Type: Resort hotel
- Number of Guest Rooms: 3,719
- Building Height (feet): 735
- Square Feet: 8,931,452
- Parking Required/Provided: 5,779/5,787

History & Site Plan

UC-0932-06 was previously approved for a resort hotel/casino with various components and amenities, and included all associated accessory and incidental commercial uses, buildings, and structures. Since approval, the project has been revised by many subsequent applications, the ownership of the project has changed several times, and construction has stopped along various stages of construction throughout the years.

UC-0233-07 was approved to increase the number of resort condominium units (with kitchens) associated with a previously approved resort hotel (Fontainebleau) per UC-0932-06 to 1,020 units from 959 and reduce the overall number of hotel rooms to 2,880 from 2,929. The site plan depicted no other changes to the square footage of the accessory and incidental uses, landscaping around the site, or the height of the tower from the previously approved applications.

Today, the resort hotel/casino consists of 3,719 guest rooms; resort condominium units with kitchens have been removed from the project. The street level plan for the resort will house several elements including the casino, bars and lounges, the hotel entrance and guest registration area, coffee shop, restaurants, several other retail centers, and a garden.

Landscaping

No change was proposed from what was previously approved for landscaping.

Previous Conditions of Approval

Listed below are the approved conditions for ET-18-400044 (UC-0233-07):

Current Planning

- Until May 5, 2021 to commence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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

- Compliance with previous conditions.

Listed below are the approved conditions for ADET-1364-17 (UC-0233-07):

Current Planning

- Until May 5, 2018 to commence to match the current expiration of PACs 06-47392, 07-07220, and 07-17708.
- Applicant is advised that future extensions of time must be heard by the Board of County Commissioners; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

Listed below are the approved conditions for UC-0233-07:

Current Planning

- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must commence within 2 years of approval date or it will expire.

Civil Engineering

- Compliance with UC-0932-06.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates this is the third extension of time for UC-0233-07. This request is being filed with 8 other requests for extensions of time (on the same site) and is required because the current owners recently purchased the uncompleted project and need time to review and evaluate all existing land use approvals before commencing the project. The applicant is working towards progressing on the project by replacing all existing bond approvals and obtaining building permits to continue construction. The applicant is requesting a 3 year extension of time and would like all approvals to run concurrently.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-19-0428	Changes and modifications to an approved resort hotel (Drew formally Fontainebleau)	Approved by BCC	July 2019
ET-18-400040 (DR-0289-09)	Second extension of time for a redesign of a loading dock and cover	Approved by BCC	April 2018
ET-18-400042 (UC-0489-08)	Second extension of time for deviations for roof signs and modified separation requirements	Approved by BCC	April 2018
ET-18-400043 (UC-0932-06)	Second extension of time for the resort hotel	Approved by BCC	April 2018
ET-18-400044 (UC-0233-07)	Second extension of time for a use permit to increase the number of resort condominiums with kitchens	Approved by BCC	April 2018
ET-18-400045 (DR-0213-08)	Second extension of time to redesign east façade of parking garage/convention facility	Approved by BCC	April 2018
ET-18-400046 (UC-0698-07)	Second extension of time to increase building height and square footage of project	Approved by BCC	April 2018
ET-18-400047 (UC-1515-06)	Second extension of time for alternative landscaping on east property line	Approved by BCC	April 2018
ET-18-400048 (UC-1242-06)	Second extension of time to allow modular buildings during construction of the resort hotel	Approved by BCC	April 2018
ADET-1371-17 (DR-0213-08)	First extension of time to redesign east façade of parking garage/convention facility	Approved by ZA	December 2017
ADET-1369-17 (UC-0698-07)	First extension of time to increase building height and square footage of project	Approved by ZA	December 2017
ADET-1368-17 (DR-0289-09)	First extension of time to redesign loading dock area	Approved by ZA	December 2017
ADET-1367-17 (UC-0489-08)	First extension of time for roof signs and modified separation requirements	Approved by ZA	December 2017
ADET-1366-17 (UC-1515-06)	First extension of time for alternative landscaping on east property line	Approved by ZA	December 2017
ADET-1365-17 (UC-0932-06)	First extension of time for the resort hotel	Approved by ZA	December 2017

Prior Land Use Requests

Application Number	Request	Action	Date
ADET-1364-17 (UC-0233-07)	First extension of time to increase the number of resort condominiums with kitchens	Approved by ZA	December 2017
ADET-1363-17 (UC-1242-06)	First extension of time to allow modular buildings during construction of the resort hotel	Approved by ZA	December 2017
AG-0889-17	Consent to assignment and assumption of Fontainebleau Las Vegas Resort development agreement	Approved by BCC	August 2017
WS-0370-15	Extension to off-site bond improvements	Approved by BCC	November 2015
SC-0207-15	Renamed Riviera Boulevard to Elvis Presley Boulevard	Approved by PC	May 2015
WS-0214-11	Extension to off-site bond improvements	Approved by BCC	July 2011
DA-0311-09	Third amendment to development agreement	Approved by BCC	June 2009
DR-0289-09	Redesigned loading dock area	Approved by BCC	June 2009
SC-0288-09	Allowed an alternative floor/unit numbering system	Approved by PC	June 2009
DA-0951-08	Second amendment to development agreement	Approved by BCC	November 2008
UC-0489-08	Deviations for roof signs and modified separation requirements	Approved by BCC	June 2008
DR-0213-08	Redesigned east façade of parking garage/convention facility	Approved by BCC	April 2008
DA-0949-07	First amendment to development agreement	Approved by BCC	August 2007
UC-0698-07	Increased building height and square footage of project	Approved by BCC	July 2007
DA-0343-07	Development agreement for the site	Approved by BCC	April 2007
UC-0233-07	Increased the number of resort condominiums with kitchens	Approved by PC	April 2007
UC-1515-06	Alternative landscaping on east property line	Approved by BCC	December 2006
UC-0932-06 (WC-0334-06)	Waiver of conditions to amend the development agreement condition for early permits	Approved by BCC	December 2006
UC-1242-06	Allowed modular buildings during construction of the resort hotel	Approved by PC	October 2006
UC-0932-06	Resort hotel	Approved by BCC	October 2006

* Subject project site also includes older land use applications which have been omitted from this report since they are not relevant to the subject project.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Undeveloped (approved for a sports arena)
South	Commercial Tourist	P-F	Parking for the Las Vegas Convention Center
East	Commercial Tourist	H-1	Turnberry Place (residential high-rise)
West	Commercial Tourist	H-1 & U-V	Circus Circus Resort Hotel & The Sky mixed-use development

Related Applications

Application Number	Request
ET-21-400074 (DR-19-0428)	An extension of time for a design review requiring changes and modifications to an approved resort hotel is a companion item on this agenda.
ET-21-400075 (DR-0289-09)	An extension of time for a design review requiring the redesign of a loading dock structure and cover for a resort hotel is a companion item on this agenda.
ET-21-400077 (UC-0489-08)	An extension of time for a use permit with deviations to development standards for signage is a companion item on this agenda.
ET-21-400078 (UC-0923-06)	An extension of time for a use permit to allow a personal service business, retail sales, permanent makeup, and wall signage in conjunction with an existing office complex is a companion item on this agenda.
ET-21-400080 (DR-0213-08)	An extension of time for a design review for the exterior elevation of the east wall of the convention/parking facility of a previously approved resort hotel is a companion item on this agenda.
ET-21-400082 (UC-0698-07)	An extension of time for a use permit allowing increased building height and deviations to development standards is a companion item on this agenda.
ET-21-400083 (UC-1515-06)	An extension of time for a use permit to allow deviations to development standards in conjunction with a resort is a companion item on this agenda.
ET-21-400084 (UC-1242-06)	An extension of time for a use permit to allow office buildings (modular buildings) in an H-1 (Limited Resort and Apartment) zone is a companion item 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**

Title 30 standards of approval on an extension of time application 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 at the subject site since the original approval.

This request has been filed to allow the new owner to have more time to research prior land use applications and to obtain the necessary permits to complete the project. Staff has no objection to the request.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until July 17, 2024 to commence;
- Prior to final Certificate of Occupancy, new land use applications for final uses and design to replace all prior land use applications.
- 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 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: Winchester - approval.

APPROVALS:

PROTEST:

APPLICANT: SHERYL KASS

CONTACT: CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV 89101