

COMMERCIAL RETAIL & RESORT HOTEL/CASINO
(TITLE 29)

DURANGO DR/MAULE AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400117 (UC-0726-08)-NP DURANGO, LLC:

HOLDOVER USE PERMITS FIFTH EXTENSION OF TIME for the following: **1)** modifications to a previously approved resort hotel/casino; **2)** addition of an office and retail plaza with incidental commercial uses; and **3)** deviations to development standards.

DESIGN REVIEWS for the following: **1)** final plans on a previously approved resort hotel/casino with ancillary uses; and **2)** an office and retail plaza consisting of 8 buildings with associated structures and water features on approximately 71.0 acres in an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone in the Rhodes Ranch Master Planned Community.

Generally located between the 215 Beltway and Maule Avenue on the west side of Durango Drive within Spring Valley. JJ/rk/jo (For possible action)

RELATED INFORMATION:

APN:

176-05-601-028

USE PERMITS:

1. Permit modifications for a resort hotel/casino consisting of 726 hotel rooms in 2 towers, with 86,883 square feet of casino floor space, and all associated public areas and structures that were previously approved for 1,000 hotel rooms in 2 towers, with 120,000 square feet casino floor space, and all associated public areas and structures.
2. Permit an office and retail plaza with incidental commercial uses consistent with the uses permitted in the C-2 zoning district.
3. Permit deviations to development standards.

DEVIATIONS:

1. Increase the wall height at a portion of the site to 12 feet where screen walls are allowed at a maximum height of 6 feet.
2. Modify parking stall dimensions near diamond planters on 1 side to 9 feet by 14 feet 9 inches where a typical stall is required to be 9 feet by 19 feet in Title 29.
3. Permit all other deviations as shown per plans on file.

LAND USE PLAN:

SPRING VALLEY - MAJOR DEVELOPMENT PROJECT (RHODES RANCH) - LIMITED RESORT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 71
- Number of Units: 726 rooms
- Project Type: Resort hotel/casino and commercial retail development
- Building Height (feet): Up to 216
- Parking Required/Provided: 3,934/6,205

Site Plans

The previously approved plans show that Durango Station Casino will have 2 hotel towers at a height of 145 feet and 216 feet (previous maximum heights shown at 155 feet and 216 feet) and include 726 hotel rooms (previous maximum hotel rooms shown at 1,000). The casino was approved for a maximum casino square footage consisting of 120,000 square feet. Also included within the site is a retail plaza consisting of 8 buildings located at the northwest portion of the site. The retail buildings are centered along an outdoor pedestrian realm which includes benches, planters, water features that use reclaimed water, enhanced pavers, and open space areas where people can gather. The pedestrian realm also fully connects the retail component with the other uses on the property by using walking paths and courtyards in the design. The retail buildings will total 139,071 square feet and range in size from 5,613 square feet to 26,877 square feet. The elevations depict varying roof lines generally being 40 feet in height consisting of a variety of facade walls which change color, texture, and design. Also shown on plans is a 6 level “north” parking garage located between the new retail area and the hotel/casino. Parking for the resort and retail area is provided by 2 parking garages including 1,993 and 2,055 parking spaces respectively, and 2,157 surface parking spaces (excluding 320 diamond spaces) which are distributed throughout the site within extensive parking lots located along the street frontages. The parking requirement for this project is 3,934 spaces which this site exceeds.

Previous Conditions of Approval

Listed below are the approved conditions for ET-0190-18 (UC-0726-08):

Current Planning

- Until September 3, 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.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show fire hydrant locations on-site and within 750 feet; that operational permits may be required for this facility; and to contact Fire Prevention for further information at (702) 455-7316.

Listed below are the approved conditions for UC-0726-08 (ET-0073-15):

Current Planning

- Until September 3, 2018 to commence;
- Enter into a Development Agreement prior to permits;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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.

Building/Fire Prevention

- Applicant is advised that Fire Prevention does not have any objection to the requested extension of time.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that at the time of development CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates from all phases of the proposed project at build-out before sewer point-of-connection can be approved; active odor control treatment of wastewater liquid and vapor will be required as part of this project; all on-site sewers shall be private, public sewers shall only be allowed in the public streets; and that CCWRD has no exception to the request for an extension of time.

Listed below are the approved conditions for UC-0726-08 (ET-0082-13):

Current Planning

- Until September 3, 2015 to commence;
- Conformance to all relevant previous conditions of approval.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Public Works – Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that at the time of development CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates from all phases of the proposed project at build-out before sewer point-of-connection can be approved; active odor control treatment of wastewater liquid and vapor will be required as part of this project; all onsite sewers shall be private; public sewers shall only be allowed in the public streets; and that CCWRD has no exception to the request for an extension of time.

Listed below are the approved conditions for UC-0726-08 (ET-0134-10):

Major Projects - Planning

- Until September 3, 2013 to commence;

- Enter into a Development Agreement prior to Certificate of Occupancy for any structures;
- 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.

Public Works – Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-0726-08:

Major Projects - Planning

- Non-public hearing design review for the pedestrian flow and connectivity between some of the parking areas and the different elements of the project;
- 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.

Major Projects – Engineering

- Update drainage study and compliance;
- Update traffic study and compliance;
- Full off-sites to include paved legal access;
- Right-of-way dedications to include dedication and construction of third travel lane along Beltway frontage road;
- Sign a License And Maintenance Agreement for any non-standard improvements within right-of-way;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights and traffic control which may require a vacation of excess right-of-way or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Vacate any unnecessary rights-of-way and/or easements;
- Any applicable vacations to be recordable prior to final map technical review;
- If required by Regional Transportation Commission, dedicate and construct right-of-way for bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission standards.

Applicant's Justification

According to the applicant the original project was put on hold but always intended on proceeding in conformance with all agreed conditions when market circumstances and internal capital programs permitted. The circumstances to proceed are now in place and Station Casinos has submitted a companion design review that still relies on UC-0726-08 but is substantially reduced in intensity. The project as proposed with the companion design review is sensitive to the immediate area with corresponding setbacks and buffering and fully complies with all original conditions of approval. Since the proposed project is reliant on this use permit, they are requesting an extension of time for an additional year in which time they will have commenced and will no longer require additional extensions.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-400190-18 (UC-0726-08)	Fourth extension of time for a resort hotel/casino with accessory retail commercial	Approved by BCC	October 2018
UC-0726-08 (ET-0073-15)	Third extension of time for a resort hotel/casino with accessory retail commercial	Approved by BCC	November 2015
UC-0726-08 (ET-0082-13)	Second extension of time for a resort hotel/casino with accessory retail commercial	Approved by BCC	October 2013
UC-0726-08 (ET-0134-10)	First extension of time for a resort hotel/casino with accessory retail commercial	Approved by BCC	October 2010
UC-0726-08	Original application for a revised resort hotel/casino with accessory retail commercial	Approved by BCC	September 2008
ZC-1282-06	Reclassified the site to H-1 zoning for a resort hotel/casino	Approved by BCC	November 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	N/A	N/A	215 Beltway
South	Commercial Tourist; Major Development Project - Commercial General & Major Development Project - Mixed Use	H-1, C-2, & R-3	Multiple family residential, retail center & single family residential
East	Commercial General & Residential Urban Center	C-2 & R-4	Undeveloped
West	Residential Suburban & Residential High & Mixed Use	R-2 & R-3	Single family residential

Related Applications

Application Number	Request
UC-21-0387	A use permit for modifications for a resort hotel/casino with outside dining, and all associated public areas is a companion item on this agenda.
VS-21-0388	A vacation of easements and rights-of-way 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 29.

Analysis**Current Planning**

Title 29 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. This site has been planned for a resort hotel/casino since the original approval of the Rhodes Ranch Master Plan and staff finds that it is still a viable site for such use. Station Casinos has submitted a companion application to move forward with the project; therefore, staff can support an additional 2 years to commence the project. Additionally, for clarification purposes, staff finds the condition added to UC-0726-08 (ET-0082-13) and UC-0726-08 (ET-0073-15) requiring a development agreement is not applicable to the subject resort hotel/casino and is instead required for the western 20 acre transitional area planned for 1,000 residential units as provided for in the adopted development agreement (second amendment). As such, any future application for the 1,000 residential units will be required to enter into a standard development agreement with the County due the recent expansion of the Public Facilities Needs Assessment area east and north of the subject site.

Public Works - Development Review

Staff has no objection to this extension of time.

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 29, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that the development agreement required in the prior extensions of time for the subject application are applicable to the additional 1,000 residential units in the western 20 acres and not the resort hotel/casino; a standard development agreement will be required as a condition of any application for the 1,000 residential units; 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

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTEST:

COUNTY COMMISSION ACTION: September 22, 2021 – HELD – To 10/06/21 – per the applicant.

APPLICANT: NP DURANGO, LLC

CONTACT: CARL HAGELMAN, STATION CASINOS, 1505 S. PAVILION CENTER DRIVE, LAS VEGAS, NV 89135