



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2023**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT: FF SERIES HOLDINGS, LLC - OWNER: ALLAY TIME AND KNOWLEDGE SERVICES, INC.**

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**\*\* STAFF RECOMMENDATION(S) \*\***

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>23-0569-EOT1</b>	Staff recommends APPROVAL, subject to conditions:	
<b>23-0569-EOT2</b>	Staff recommends APPROVAL, subject to conditions:	
<b>23-0569-EOT3</b>	Staff recommends APPROVAL, subject to conditions:	
<b>23-0569-EOT4</b>	Staff recommends APPROVAL, subject to conditions:	
<b>23-0569-EOT5</b>	Staff recommends APPROVAL, subject to conditions:	
<b>23-0569-EOT6</b>	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

**NOTICES MAILED**

**PROTESTS**                      0

**APPROVALS**                      0

**\*\* CONDITIONS \*\***

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**23-0569-EOT1 CONDITIONS**

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**Planning**

1. This approval shall expire on November 16, 2025 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for VAR-66518 and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**23-0569-EOT2 CONDITIONS**

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**Planning**

1. This approval shall expire on November 16, 2025 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for VAR-66519 and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**23-0569-EOT3 CONDITIONS**

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Conditions Page Two  
December 20, 2023 - City Council Meeting

**Planning**

1. This approval shall expire on November 16, 2025 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for VAR-66973 and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**23-0569-EOT4 CONDITIONS**

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**Planning**

1. This approval shall expire on November 16, 2025 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for WVR-66696 and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**23-0569-EOT5 CONDITIONS**

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**Planning**

1. This approval shall expire on November 16, 2025 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for SUP-66520 and all other related actions as required by the Department of Community Development and the Department of Public Works.

**Conditions Page Three**  
**December 20, 2023 - City Council Meeting**

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**23-0569-EOT6 CONDITIONS**

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**Planning**

1. This approval shall expire on November 16, 2025 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for SDR-66521 and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is requesting Extensions of Time of three previously approved Variances (VAR-66518, VAR-66519 and VAR-66973); a Waiver (WVR-66696); a Special Use Permit (SUP-66520); and a Site Development Plan Review (SDR-66521) for a proposed 65,738 square-foot Convalescent Care Facility/Nursing Home on 3.28 acres of vacant land located on the east side of Tenaya Way, approximately 210 feet south of Azure Drive.

**ISSUES**

- These are the third Extension of Time requests for the subject entitlements, which were originally approved 11/16/16.
- Ownership of the subject parcels was transferred 09/27/22.
- No applications for building permits or business licenses for the Convalescent Care Facility have been submitted for review.

**ANALYSIS**

The existing zoning of the property is O (Office), which allows for a Convalescent Care Facility/Nursing Home use with approval of a Special Use Permit. The proposed Convalescent Care Facility is branded as an 84-bed memory care facility for long-term residents, with nurse stations positioned throughout. The building is one story and 26 feet in height with exterior features that maintain a residential character. A 9,300 square-foot support building is proposed along the west side of the primary building.

The approved Variances are to allow no offsite improvements along Starlight Drive, which forms the east edge of the site; a 10-foot residential adjacency setback where 69 feet is required; and to allow 46 percent lot coverage where the O (Office) zoning district allows a maximum of 30 percent. Staff had recommended denial.

The approved Waiver is to allow no streetlights along Starlight Drive, as the applicant had proposed to retain the rural environment in this area. A Special Use Permit was approved for the Convalescent Care Facility/Nursing Home use, as well as a Site Development Plan Review of the overall development. Staff had recommended denial.

**Staff Report Page Two  
December 20, 2023 - City Council Meeting**

No building permit applications have been submitted as of November 20, 2023. The applicant has cited worsening economic conditions as the primary reason for not exercising the approved entitlements. Two years ago, the challenges of beginning construction during the COVID-19 pandemic were provided as justification for extension. Now, post-pandemic, the applicant is reevaluating its financial model to determine how to effectively proceed with the project. An additional three years is requested, as had been granted by the City Council in 2018.

No Code Enforcement cases have been opened since the property has come under new ownership.

**FINDINGS (23-0569-EOT1)**

No new development or significant changes in land use have occurred since the previously approved Extension of Time. Staff finds that granting an Extension of Time to the approved Variance (VAR-66518) request to allow no offsite improvements along Starlight Drive will not be deleterious to neighboring developments or the City and therefore recommends approval, subject to conditions. If denied, the Variance (VAR-66518) would be deemed to be expired as of November 16, 2023.

**FINDINGS (23-0569-EOT2)**

No new development or significant changes in land use have occurred since the previously approved Extension of Time. Staff finds that granting an Extension of Time to the approved Variance (VAR-66519) request to allow a 10-foot residential adjacency setback where 69 feet is required will not be deleterious to neighboring developments or the City and therefore recommends approval, subject to conditions. If denied, the Variance (VAR-66519) would be deemed to be expired as of November 16, 2023.

**FINDINGS (23-0569-EOT3)**

No new development or significant changes in land use have occurred since the previously approved Extension of Time. Staff finds that granting an Extension of Time to the approved Variance (VAR-66973) request to allow 46 percent lot coverage where 30 percent is the maximum allowed will not be deleterious to neighboring developments or the City and therefore recommends approval, subject to conditions. If denied, the Variance (VAR-66973) would be deemed to be expired as of November 16, 2023.

**Staff Report Page Three  
December 20, 2023 - City Council Meeting****FINDINGS (23-0569-EOT4)**

No new development or significant changes in land use have occurred since the previously approved Extension of Time. Staff finds that granting an Extension of Time to the approved Waiver (WVR-66696) request to allow no streetlights where such are required will not be deleterious to neighboring developments or the City and therefore recommends approval, subject to conditions. If denied, the Waiver (WVR-66696) would be deemed to be expired as of November 16, 2023.

**FINDINGS (23-0569-EOT5)**

No new development or significant changes in land use have occurred since the previously approved Extension of Time. Staff finds that granting an Extension of Time to the approved Special Use Permit (SUP-66520) request for a Convalescent Care/Nursing Home use will not be deleterious to neighboring developments or the City and therefore recommends approval, subject to conditions. If denied, the Special Use Permit (SUP-66520) would be deemed to be expired as of November 16, 2023.

**FINDINGS (23-0569-EOT6)**

No new development or significant changes in land use have occurred since the previously approved Extension of Time. Staff finds that granting an Extension of Time to the approved Site Development Plan Review (SDR-66521) request will not be deleterious to neighboring developments or the City and therefore recommends approval, subject to conditions. If denied, the Site Development Plan Review (SDR-66521) would be deemed to be expired as of November 16, 2023.

Staff Report Page Four  
December 20, 2023 - City Council Meeting

## BACKGROUND INFORMATION

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
01/16/02	The City Council approved a Petition to Annex (ANX-21629) property generally located on the southeast corner of the intersection of Tenaya Way and Azure Drive. The annexation was effective as of 01/25/02.
11/16/16	The City Council approved a request for a General Plan Amendment (GPA-64835) from R (Rural Density Residential) to O (Office) located on the west side of Starlight Drive, approximately 205 feet south of Azure Drive. The Planning Commission and staff recommended denial.
	The City Council approved a request for a Rezoning (ZON-64836) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to O (Office) located on the west side of Starlight Drive, approximately 205 feet south of Azure Drive. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Variance (VAR-66518) of Complete Streets Standards to provide no off-site improvements along Starlight Drive for a proposed Convalescent Care Facility/Nursing Home located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Variance (VAR-66519) to allow a ten-foot Residential Adjacency Setback where 69 feet is required for a proposed Convalescent Care Facility/Nurse Home located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Variance (VAR-66973) to allow 49 percent lot coverage where 30 percent is the maximum allowed located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Waiver (WVR-66696) to allow no streetlights where such are required for a proposed Convalescent Care Facility/Nursing Home located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. The Planning Commission recommended approval and staff recommended denial.



Staff Report Page Five  
December 20, 2023 - City Council Meeting

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
	The City Council approved a request for a Special Use Permit (SUP-66520) for a Convalescent Care Facility/Nursing Home located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Site Development Plan Review (SDR-66521) for a proposed 65,738 square-foot Convalescent Care Facility/Nursing Home located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. The Planning Commission recommended approval and staff recommended denial.
10/17/18	The City Council approved a request for the first Extension of Time (EOT-74504) of an approved Variance (VAR-66518) to provide no off-site improvements along Starlight Drive for a proposed Convalescent Care Facility/Nursing Home on 3.28 acres located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. Staff recommended approval.
	The City Council approved a request for the first Extension of Time (EOT-74505) of an approved Variance (VAR-66519) to allow a ten-foot Residential Adjacency Setback where 69 feet is required for a proposed Convalescent Care Facility/Nurse Home on 3.28 acres located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. Staff recommended approval.
	The City Council approved a request for the first Extension of Time (EOT-74506) of an approved Variance (VAR-66973) to allow 49 percent lot coverage where 30 percent is the maximum allowed on 3.28 acres located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. Staff recommended approval.
	The City Council approved a request for the first Extension of Time (EOT-74507) of an approved Waiver (WVR-66696) to allow no streetlights where such are required for a proposed Convalescent Care Facility/Nursing Home on 3.28 acres located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. Staff recommended approval.

Staff Report Page Six  
December 20, 2023 - City Council Meeting

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
	The City Council approved a request for the first Extension of Time (EOT-74508) of an approved Special Use Permit (SUP-66520) for a Convalescent Care Facility/Nursing Home on 3.28 acres located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. Staff recommended approval.
	The City Council approved a request for the first Extension of Time (EOT-74509) of an approved Site Development Plan Review (SDR-66521) for a proposed 65,738 square-foot Convalescent Care Facility/Nursing Home on 3.28 acres located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. Staff recommended approval.
12/01/21	The City Council approved a request for the second Extension of Time (EOT-74504) of an approved Variance (VAR-66518) to provide no off-site improvements along Starlight Drive for a proposed Convalescent Care Facility/Nursing Home on 3.28 acres located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. Staff recommended approval.
	The City Council approved a request for the second Extension of Time (EOT-74505) of an approved Variance (VAR-66519) to allow a 10-foot Residential Adjacency Setback where 69 feet is required for a proposed Convalescent Care Facility/Nurse Home on 3.28 acres located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. Staff recommended approval.
	The City Council approved a request for the second Extension of Time (EOT-74506) of an approved Variance (VAR-66973) to allow 49 percent lot coverage where 30 percent is the maximum allowed on 3.28 acres located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. Staff recommended approval.
	The City Council approved a request for the second Extension of Time (EOT-74507) of an approved Waiver (WVR-66696) to allow no streetlights where such are required for a proposed Convalescent Care Facility/Nursing Home on 3.28 acres located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. Staff recommended approval.

**Staff Report Page Seven**  
**December 20, 2023 - City Council Meeting**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
	The City Council approved a request for the second Extension of Time (EOT-74508) of an approved Special Use Permit (SUP-66520) for a Convalescent Care Facility/Nursing Home on 3.28 acres located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. Staff recommended approval.
	The City Council approved a request for the second Extension of Time (EOT-74509) of an approved Site Development Plan Review (SDR-66521) for a proposed 65,738 square-foot Convalescent Care Facility/Nursing Home on 3.28 acres located on the east side of Tenaya Drive, approximately 210 feet south of Azure Drive. Staff recommended approval.

<b><i>Most Recent Change of Ownership</i></b>	
09/27/22	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
There are no building permits or business licenses related to the subject parcels.	

<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting was not required, nor was one held. Staff provided an electronic submittal checklist to the applicant.	

<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	

<b><i>Field Check</i></b>	
11/15/23	The subject site is undeveloped and contains native vegetation with no trash or debris noted. There is an area along Tenaya Way that has been cleared of vegetation.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	3.28

Staff Report Page Eight  
December 20, 2023 - City Council Meeting

<b><i>Surrounding Property</i></b>	<b><i>Existing Land Use Per Title 19.12</i></b>	<b><i>Planned or Special Land Use Designation</i></b>	<b><i>Existing Zoning District</i></b>
Subject Property	Undeveloped	O (Office)	O (Office)
North	Residential, Single Family, Detached	Low-Intensity Suburban Neighborhood - Clark County	R-E (Rural Estates Residential) - Clark County
	Undeveloped	O (Office)	O (Office)
South	Residential, Single Family, Detached	Low-Intensity Suburban Neighborhood - Clark County	R-E (Rural Estates Residential) - Clark County
	Undeveloped	O (Office)	O (Office)
East	Residential, Single Family, Detached	Low-Intensity Suburban Neighborhood - Clark County	R-E (Rural Estates Residential) - Clark County
	Undeveloped		
West	Residential, Single Family, Detached	Mid-Intensity Suburban Neighborhood - Clark County	R-E (Rural Estates Residential) - Clark County

<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
Las Vegas 2050 Master Plan Area: Centennial Hills	Y
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
RP-O (Rural Preservation Overlay) District	Y
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A