



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

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

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT/OWNER: FF SERIES HOLDINGS, LLC**

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>23-0570-EOT1</b>	Staff recommends APPROVAL, subject to conditions:	
<b>23-0570-EOT2</b>	Staff recommends APPROVAL, subject to conditions:	
<b>23-0570-EOT3</b>	Staff recommends APPROVAL, subject to conditions:	
<b>23-0570-EOT4</b>	Staff recommends APPROVAL, subject to conditions:	
<b>23-0570-EOT5</b>	Staff recommends APPROVAL, subject to conditions:	
<b>23-0570-EOT6</b>	Staff recommends APPROVAL, subject to conditions:	

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

**NOTICES MAILED**

**PROTESTS**                      0

**APPROVALS**                      0

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

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**23-0570-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-66511 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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**23-0570-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-66512 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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**23-0570-EOT3 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.

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2. Conformance to the Conditions of Approval for VAR-66974 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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**23-0570-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-66675 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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**23-0570-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-66509 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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## 23-0570-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-66510 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-66511, VAR-66512 and VAR-66974); a Waiver (WVR-66675); a Special Use Permit (SUP-66509); and a Site Development Plan Review (SDR-66510) for a proposed 15,750 square-foot Convalescent Care Facility/Nursing Home on 1.03 acres of vacant land at the southeast corner of Azure Drive and Tenaya Way.

### **ISSUES**

- These are the third Extension of Time requests for the subject entitlements, which were originally approved 11/16/16.
- 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 an approved Special Use Permit. The proposed Convalescent Care Facility is branded as a 24-bed skilled nursing facility for long-term residents with chronic conditions. The building is one story and 27 feet in height with exterior features that maintain a residential character. Surface parking is provided at the

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front and rear, prompting a Waiver associated with the Site Development Plan Review to not orient the building to the corner.

The approved Variances are to allow no offsite improvements along Starlight Drive, which forms the east edge of the site (VAR-66512); a 10-foot residential adjacency setback where 69 feet is required (VAR-66511); and to allow 35 percent lot coverage where the O (Office) zoning district allows a maximum of 30 percent (VAR-66974). Staff had recommended denial of each Variance.

The approved Waiver (WVR-66675) 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 (SUP-66509) was approved for the Convalescent Care Facility/Nursing Home use, as well as a Site Development Plan Review (SDR-66510) of the overall development. Staff had recommended denial of all requests.

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. A three-year approval period is requested, as had been granted by the City Council in 2018.

**FINDINGS (23-0570-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-66511) 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-66511) would be deemed to be expired as of November 16, 2023.

**FINDINGS (23-0570-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-66512) 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-66512) would be deemed to be expired as of November 16, 2023.

**Staff Report Page Two  
December 20, 2023 - City Council Meeting****FINDINGS (23-0570-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-66974) request to allow 35 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-66974) would be deemed to be expired as of November 16, 2023.

**FINDINGS (23-0570-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-66675) 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-66675) would be deemed to be expired as of November 16, 2023.

**FINDINGS (23-0570-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-66509) 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-66509) would be deemed to be expired as of November 16, 2023.

**FINDINGS (23-0570-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-66510) 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-66510) would be deemed to be expired as of November 16, 2023.

**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-64834) from R (Rural Density Residential) to O (Office) on 1.05 acres at the southwest corner of Azure Drive and Starlight Drive. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Rezoning (ZON-64833) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to O (Office) on 1.05 acres at the southwest corner of Azure Drive and Starlight Drive. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Variance (VAR-66511) to allow a 10-foot Residential Adjacency Setback where 69 feet is required for a proposed Convalescent Care Facility/Nursing Home on 1.05 acres at the southeast corner of Azure Drive and Tenaya Way. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Variance (VAR-66512) of Complete Street Standards to provide no off-site improvements along Starlight Drive for a proposed Convalescent Care Facility/Nursing Home on 1.05 acres at the southeast corner of Azure Drive and Tenaya Way. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Variance (VAR-66974) to allow 35 percent lot coverage where 30 percent is the maximum allowed on 1.05 acres at the southeast corner of Azure Drive and Tenaya Way. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Waiver (WVR-66675) to allow no streetlights where such are required for a proposed Convalescent Care Facility/Nursing Home on 1.05 acres at the southeast corner of Azure Drive and Tenaya Way. The Planning Commission recommended approval and staff recommended denial.

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<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-66509) for a proposed Convalescent Care Facility/Nursing Home Use on 1.05 acres at the southeast corner of Azure Drive and Tenaya Way. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Site Development Plan Review (SDR-66510) for a proposed 15,750 square-foot Convalescent Care Facility/Home Care with a Waiver to not orient the building to the corner where such is required on 1.05 acres at the southeast corner of Azure Drive and Tenaya Way. 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-74519) of an approved Variance (VAR-66511) to allow a 10-foot Residential Adjacency Setback where 69 feet is required for a proposed Convalescent Care Facility/Nursing Home on 1.05 acres at the southeast corner of Azure Drive and Tenaya Way. Staff recommended approval.
	The City Council approved a request for the first Extension of Time (EOT-74520) of an approved Variance (VAR-66512) to allow no off-site improvements along Starlight Drive for a proposed Convalescent Care Facility/Nursing Home on 1.05 acres at the southeast corner of Azure Drive and Tenaya Way. Staff recommended approval.
	The City Council approved a request for the first Extension of Time (EOT-74521) of an approved (VAR-66974) to allow 35 percent lot coverage where 30 percent is the maximum allowed on 1.05 acres at the southeast corner of Azure Drive and Tenaya Way. Staff recommended approval.
	The City Council approved a request for the first Extension of Time (EOT-74522) of an approved Waiver (WVR-66675) to allow no streetlights where such are required for a proposed Convalescent Care Facility/Nursing Home on 1.05 acres at the southeast corner of Azure Drive and Tenaya Way. Staff recommended approval.
	The City Council approved a request for the first Extension of Time (EOT-74523) of an approved Special Use Permit (SUP-66509) for a proposed Convalescent Care Facility/Nursing Home use at the southeast corner of Azure Drive and Tenaya Way. Staff recommended approval.

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<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-74524) of an approved Site Development Plan Review (SDR-66510) for a proposed Convalescent Care Facility/Nursing Home with a Waiver to not orient the building to the corner where such is required on 1.05 acres at the southeast corner of Azure Drive and Tenaya Way. Staff recommended approval.
02/26/20	A Code Enforcement Case (CE20-01005) was opened for unpermitted signage at the southeast corner of Azure Drive and Tenaya Way. The case was resolved 02/27/20.
03/05/20	A Code Enforcement Case (CE20-01169) was opened for unpermitted signage at the southeast corner of Azure Drive and Tenaya Way. The case was resolved 03/25/20.
08/31/21	A Code Enforcement Case (CE21-03682) was opened to investigate a complaint regarding food vending out of a tent at the southeast corner of Azure Drive and Tenaya Way. The case was resolved 09/20/21.
12/01/21	The City Council approved a request for the second Extension of Time (21-0642-EOT1) of an approved Variance (VAR-66511) to allow a 10-foot residential adjacency setback where 69 feet is required on 1.03 acres at the southeast corner of Azure Drive and Tenaya Way. Staff recommended approval. Staff recommended approval.
	The City Council approved a request for the second Extension of Time (21-0642-EOT2) of an approved Variance (VAR-66512) to allow no offsite improvements along Starlight Drive where such are required on 1.03 acres at the southeast corner of Azure Drive and Tenaya Way. Staff recommended approval. Staff recommended approval.
	The City Council approved a request for the second Extension of Time (21-0642-EOT3) of an approved Variance (VAR-66974) to allow 35 percent lot coverage where 69 feet is required on 1.03 acres at the southeast corner of Azure Drive and Tenaya Way. Staff recommended approval. Staff recommended approval.
	The City Council approved a request for the second Extension of Time (21-0642-EOT4) of an approved Waiver (WVR-66675) to allow no streetlights where such are required on 1.03 acres at the southeast corner of Azure Drive and Tenaya Way. Staff recommended approval.

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<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 (21-0642-EOT5) of an approved Special Use Permit (SUP-66509) for a proposed Convalescent Care Facility/Nursing Home use at the southeast corner of Azure Drive and Tenaya Way. Staff recommended approval.
	The City Council approved a request for the second Extension of Time (21-0642-EOT6) of an approved Site Development Plan Review (SDR-66510) for a proposed 15,750 square-foot Convalescent Care Facility/Nursing Home with a Waiver to not orient the building to the corner where such is required on 1.03 acres at the southeast corner of Azure Drive and Tenaya Way. Staff recommended approval.

<b><i>Most Recent Change of Ownership</i></b>	
12/04/08	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>
There are no relevant business licenses or building permits associated with this property.

<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 approximately five-foot tall unpermitted off-premise sign located on this site near the corner of Azure Drive and Tenaya Way that has remained in this location for many years. Sidewalk improvements are complete along Tenaya Way, but there are no offsite improvements along Starlight Drive or Azure Drive.

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<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	1.03

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	Undeveloped	O (Office)	O (Office)
North	Residential, Single Family, Detached	O (Office)	P-R (Professional Office and Parking)
		R (Rural Density Residential)	R-E (Residence Estates)
South	Undeveloped	O (Office)	O (Office)
	Residential, Single Family, Detached	Low-Intensity Suburban Neighborhood - Clark County	R-E (Rural Estates Residential) - Clark County
East	Undeveloped	Low-Intensity Suburban Neighborhood - Clark County	R-E (Rural Estates Residential) - Clark County
West	Convenience Store (with Fuel Pumps)	TC (Town Center) [GC-TC (General Commercial – Town Center)]	T-C (Town Center)

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: Centennial Hills	Y
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
RP-O (Rural Preservation Overlay) District	Y
<b>Other Plans or Special Requirements</b>	<b>Compliance</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