

05/17/23 BCC AGENDA SHEET

ASSISTED LIVING FACILITY/
CONGREGATE CARE FACILITY
(TITLE 30)

LOS FELIZ ST/WASHINGTON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400026 (UC-17-0480)-PLEASANT VIEW PARTNERS I, LLC:

USE PERMITS THIRD EXTENSION OF TIME for the following: **1)** congregate care facility; and **2)** assisted living facility.

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.

DESIGN REVIEWS for the following: **1)** congregate care facility; **2)** assisted living facility; and **3)** finished grade on 6.8 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the west side of Los Feliz Street and the north side of Washington Avenue within Sunrise Manor. TS/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

140-26-211-001 through 140-26-211-003; 140-26-211-008 through 140-26-211-020

WAIVER OF DEVELOPMENT STANDARDS:

Increase the height of a block wall to 16 feet (10 foot retaining with 6 feet of wrought iron) where a maximum height of 6 feet is permitted per Chapter 30.64 (a 167% increase).

DESIGN REVIEWS:

1. Congregate care facility.
2. Assisted living facility.
3. Increase finished grade to 48 inches where a maximum of 36 inches (previously approved as 18 inches) is the standard per Section 30.32.040 (a 33% increase).

LAND USE PLAN:

SUNRISE MANOR - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary (Congregate Care Facility)

- Site Address: Various
- Site Acreage: 1.8
- Project Type: Congregate care facility
- Number of Stories: 1
- Building Height (feet): Up to 28

- Square Feet: 15,668
- Parking Required/Provided: 32/39

General Summary (Assisted Living Facility)

- Site Address: Various
- Site Acreage: 3.6
- Project Type: Assisted living facility
- Number of Stories: 1
- Building Height (feet): Up to 28
- Square Feet: 45,000
- Parking Required/Provided: 76/79

Project History

The Board of County Commissioners (BCC) approved the original use permit and a design review for a congregate care facility and assisted living facility (UC-17-0480) in February 2018. A waiver of development standards to increase the height of a block wall to 16 feet, in addition to a design review to increase finished grade, was approved with the aforementioned land use application. A subsequent request, WS-18-0493, for a waiver of development standards to increase the height of a combined wall/retaining wall height to 24 feet (18 foot retaining wall/6 foot screen wall) and a design review to increase finished grade to 5 feet on the project site was approved by the BCC in February 2019.

Site Plans

The approved plans depict a proposed congregate care facility and assisted living facility. The project consists of 2 buildings: 1) 15,668 square foot congregate care facility; and 2) 45,000 square foot assisted living facility. Both facilities work in tandem and closely together with patients. The staff at each facility work directly with 1 another to maintain the residency of patients. The facilities will be located on separate lots that are a minimum of 80,000 square feet with cross access and shared access points from Los Feliz Street (collector street). The plans depict a proposed 1.2 acre open space buffer at the northwest corner of Los Feliz Street and Washington Avenue with the proposed congregate care facility north of the open space area and proposed assisted care facility directly to the north of the congregate care facility. Immediately to the north of the project site are 4 parcels totaling 1.7 acres that will remain undeveloped at this time. The project complies with required on-site parking, with the parking areas equitably distributed. Access to the site is from 2 proposed driveways along Los Feliz Street. The plans depict the overall site is substantially lower than Los Feliz Street and slightly higher than Washington Avenue.

Landscaping

The approved plans depict a 17 foot wide landscape area with a detached sidewalk along Washington Avenue. The 16 foot high wall (10 feet retaining and 6 feet of decorative iron fencing) is depicted within a portion of this area and along the west property line. Directly north of the street landscaping is a 1.2 acre (51,675 square foot) open space buffer with prescribed landscaping, consisting of groundcover, shrubs, and trees. The plans depict a 30 foot wide landscape area with a detached sidewalk along Los Feliz Street directly in front of the proposed congregate care facility. A 15 foot wide landscape area with detached sidewalk is depicted along

Los Feliz Street in front of the proposed assisted care facility. A 6 foot to 10 foot wide landscape buffer is shown along the entire west property line. All landscaping, including parking lot landscaping, will be equitably dispersed throughout the site.

Elevation (Congregate Care Facility)

The approved plans depict a 1 story, 20 foot to 28 foot high building with the following residential elements: 1) painted cement plaster finish; 2) stone veneer; 3) pitched concrete tile roof; 4) cement plaster soffit; and 5) accents/fenestration along the windows.

Elevation (Assisted Living Facility)

The approved plans depict a 1 story, 20 foot to 28 foot high building with the following residential elements: 1) painted cement plaster finish; 2) stone veneer; 3) pitched concrete tile roof; 4) cement plaster soffit; 5) flat roof elements with parapet walls with enhanced cornice treatment; and 6) accents/fenestration along the windows.

Floor Plans (Congregate Care Facility)

The approved plans depict a 15,668 square foot congregate care facility consisting of the following: 1) bedrooms containing a total of 40 beds; 2) dining and living areas; 3) offices; 4) lounge; 5) breakroom; 6) kitchens; 7) maintenance and storage areas; 8) outdoor courtyard areas; and 9) laundry area.

Floor Plans (Assisted Living Facility)

The approved plans depict a 45,000 square foot assisted living facility consisting of the following: 1) visitor/reception area; 2) offices; 3) conference room; 4) nurse stations; 5) multiple rooms with a total of 72 beds; 6) dining area and social gathering; 7) staff room; 8) restrooms; 9) theatre; and 10) computer lab.

Signage

Signage is not a part of this request

Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400092 (UC-17-0480):

Current Planning

- Until February 21, 2023 to commence and review as a public hearing, with any extension of time as a public hearing.
- 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 application for review; and that the extension of time may be denied if the project has not commenced or there has not 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 ET-20-400017 (UC-17-0480):

Current Planning

- Until February 21, 2021 to commence with any extension of time as a public hearing and to review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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 UC-17-0480:

Current Planning

- 2 years to review;
- All site lighting shall be low and down facing;
- No sirens for other than emergencies pursuant to Fire Department protocol;
- Landscaping per plans;
- Design review as a public hearing for signage and lighting;
- Design review as a public hearing for any significant changes to the plans;
- 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 application for review; 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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements
- Applicant is advised that the installation of detached sidewalk will require granting necessary easements for utilities, pedestrian access, streetlights, and traffic control and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the Point of Connection (POC) request has been completed for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0332-2017 to obtain your PC exhibit.

Applicant's Justification

Since the previous 2 extensions of time, the property has changed ownership. Most of the entitlements have vested but the property has not yet begun operations. The applicant is requesting an additional 2 year extension to allow adequate time to commence the development and hold the required review as public hearing.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-400159 (WS-18-0493)	First extension of time to increase wall height and increase finished grade	Approved by BCC	November 2021
ET-21-400160 (VS-19-0100)	First extension of time to vacate and abandon pedestrian easement and driveway easement.	Approved by BCC	November 2021
ET-21-400092 (UC-17-0480)	Second extension of time for a congregate care facility and assisted living facility, waiver to increase wall height, design reviews for a congregate care facility, assisted living facility, and increased finished grade	Approved by BCC	July 2021
ET-20-400017 (UC-17-0480)	First extension of time for a congregate care facility and assisted living facility, waiver to increase wall height, design reviews for a congregate care facility, assisted living facility, and increased finished grade	Approved by BCC	April 2020
VS-19-0100	Vacated and abandoned easements of interest to Clark County located between Radwick Drive and Los Feliz Street, and between Monroe Avenue and Washington Avenue within Sunrise Manor	Approved by PC	March 2019
WS-18-0493	Increased wall height and finished grade in conjunction with a previously approved assisted living facility and congregate care facility - expired	Approved by BCC	February 2019
UC-17-0480	Congregate care facility and assisted living facility, waiver to increase wall height, design reviews for a congregate care facility, assisted living facility, and increased finished grade	Approved by BCC	February 2018
DR-0962-07	19 residential lots within hillside development	Approved by PC	September 2007
TM-0104-07	19 lot single family residential development	Approved by BCC	May 2007
WS-0060-05	Reduced lot area and private street width in conjunction with a proposed residential development	Approved by BCC	May 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	P-F	O'Callaghan Middle School
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Undeveloped
West	Public Use	P-F	O'Callaghan Middle School, Las Vegas Valley Water District, Southern Nevada Water Authority (water reservoir with tanks), & communication tower

Related Applications

Application Number	Request
ET-23-400027 (VS-19-0100)	Second extension of time to vacate and abandon pedestrian easement and driveway easement is a related item on this agenda.
ET-23-400034 (WS-18-0493)	Second extension of time for wall height and increased finished grade is a related item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive 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.

Although staff recognizes the complexities of changing ownership during development, at the end of this expiration period it will be more than 7 years since the original approval of the project. While staff supports the current request, any future extension of time requests cannot be supported by staff.

Public Works - Development Review

There have been no significant changes in this area. 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until February 21, 2025 to commence and review as a public hearing, with any extensions of time as a public hearing;
- A map is required for the entire site (Pleasant Valley) to merge or reconfigure the parcels (140-26-211-001 through 140-26-211-020) prior to building permits.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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 application for review; 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - approval.

APPROVALS:

PROTEST:

APPLICANT: PLEASANT VIEW PARTNERS I, LLC

CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135