

01/19/21 PC AGENDA SHEET

CONGREGATE CARE
(TITLE 30)

PATRICK LN/JONES BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-20-400149 (UC-0671-16)-LEGACY JONES, LLC:

USE PERMIT SECOND EXTENSION OF TIME for a congregate care facility with accessory commercial uses.

DESIGN REVIEW for a congregate care facility on 5.0 acres in an R-E (Rural Estates Residential) (AE-60 & AE-65) Zone in the CMA Design Overlay District.

Generally located on the east side of Jones Boulevard, 300 feet south of Patrick Lane within Spring Valley. MN/nr/jd (For possible action)

RELATED INFORMATION:

APN:

163-36-301-023

LAND USE PLAN:

SPRING VALLEY - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5
- Project Type: Congregate care facility
- Number of Beds: 143
- Number of Stories: 1
- Building Height (feet): 34
- Square Feet: 56,357
- Parking Required/Provided: 59/81

Site Plan

The approved plan depicts a congregate care facility consisting of 1 building located in the central portion of the parcel. Parking for the facility is located along the north, south, east and west sides of the building with access to the site provided by 2 driveways from Jones Boulevard. The building is set back approximately 34 feet from the east (rear) property line, 60 feet from the west (front) property line, and a minimum of 57 feet from the north and south (side) property lines. A small storage structure located on the northeast corner of the site is set back

approximately 10 feet from the east property line and 25 feet from the north property line. The overall building is constructed around 6 courtyard areas.

Landscaping

The approved plans depict a minimum 15 foot wide landscape area with a detached sidewalk adjacent to Jones Boulevard consisting of trees, shrubs, and groundcover. The approved landscape area along the east property line is 6 feet wide and will consist of a single row of large evergreen trees. The landscaped areas along the north, south, and east property lines are 10 feet in width and consist of 2 off-set rows of large evergreen trees. Additional landscape areas consisting of trees, shrubs, and groundcover are located adjacent to the building and within the courtyard areas.

Elevations

The building is 1 story with a maximum building height of 34 feet. The building has a pitched roof with clay tile for roofing material and the roofline varies in height from approximately 22 feet to 34 feet. The exterior of the building has a stucco finish painted in earth tone colors. The main entrance of the facility faces to the east and is located in the center of the building elevation.

Floor Plan

The approved plan depicts a 56,357 square foot congregate care facility consisting of 143 beds with 68 rooms for the residents, dining facilities, therapy areas, administrative office, storage and support and common areas for the residents. The facility will also provide a 212 square foot beauty shop (accessory commercial use) for the residents.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-18-400240 (UC-0671-16):

Current Planning

- Until November 15, 2020 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 UC-0671-16:

Current Planning

- Design review as a public hearing for 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; 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;
- Traffic study and compliance;
- Full off-site improvements;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control;
- Right-of-way dedication to include 45 feet for Jones Boulevard.

Department of Aviation

- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height;
- Applicant must provide a copy of the recorded noise disclosure form to future occupants, separate from other escrow documents, and provide a copy of the document to the Clark County Department of Aviation;
- Applicant must provide a map to future occupants, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Clark County Department of Aviation when property sales/leases commence;
- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Clark County Department of Aviation;
- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit a "Property Owner's Shielding Determination Statement" to the Clark County Department of Aviation and request written concurrence from the Department;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Clark County Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Clark County Department of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; the FAA's airspace

determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the occupants wish to have their buildings purchased or soundproofed.

Building/Fire Prevention

- Applicant is advised that the turning radii within the site drive aisles are to have an inside radius of at least 28 feet and outside radius of at least 52 feet.

Applicant's Justification

The applicant indicates that off-site permits have been applied for and that the Federal Government has delayed the project. However, the project will still move forward.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0960	Vacated and abandoned 33 foot wide government patent easements along the north, south, east, and west property lines	Approved by PC	February 2020
ET-18-400240 (UC-0671-16)	First extension of time for a congregate care facility	Approved by PC	January 2019
VS-0064-17	Vacated and abandoned patient easements - expired	Approved by PC	March 2017
UC-0671-16	Use permit and design review for a congregate care facility with accessory commercial uses	Approved by PC	November 2016

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Office Professional	R-E	Undeveloped
South	Office Professional	C-P	Undeveloped
East	Rural Neighborhood Preservation (2 du/ac)	R-E (RNP-I)	Undeveloped
West	Public Facilities	R-E	Undeveloped

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. The applicant has made some progress toward commencement of the project, for instance the traffic study has been approved (PW17-865MIT) and the off-site permit has been approved (PW17-19417). In addition, the permit for construction of the building (BD18-07213) is ready to be issued. Therefore, staff can support an extension of time for an additional 2 years.

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 November 15, 2022 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: NEVADA SKILLED NURSING DEVELOPMENT

CONTACT: NEVADA SKILLED NURSING DEVELOPMENT, 6877 S. EASTERN AVE.,
LAS VEGAS, NV 89119