



AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: OCTOBER 11, 2016

DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO

☐ Consent ☒ Discussion

SUBJECT: BEYANET - GPA-64834 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: HERBIE BROWNING, LLC For possible action on a request for a
General Plan amendment FROM: R (OFFICE DENSITY RESIDENTIAL) TO: O (OFFICE) on
0.10 acres at the southwest corner of Azure Drive and Starlight Drive (APN 125-27-610-024),
Ward 6 (Ross) [PRJ-64769]. Staff recommends DENIAL.

C.C.: 11/16/2016

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

17

Planning Commission Mtg.

2

City Council Meeting

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Staff Report - GPA-64834, ZON-64833 [PRJ-64769] and VAR-66511, VAR-66512, VAR-66974, WVR-66675, SUP-66509 and SDR-66510 [PRJ-66419]
3. Supporting Documentation - GPA-64834, ZON-64833 [PRJ-64769] and VAR-66511, VAR-66512, VAR-66974, WVR-66675, SUP-66509 and SDR-66510 [PRJ-66419]
4. Photo(s) - GPA-64834, ZON-64833 [PRJ-64769] and VAR-66511, VAR-66512, VAR-66974, WVR-66675, SUP-66509 and SDR-66510 [PRJ-66419]
5. Justification Letter - GPA-64834, ZON-64833 [PRJ-64769] and VAR-66511, VAR-66512, VAR-66974, WVR-66675, SUP-66509 and SDR-66510 [PRJ-66419]
6. Protest/Support Postcards and Protest Petition - GPA-64834 and ZON-64833 [PRJ-64769]

Motion made by SAM CHERRY to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

CEDRIC CREAR, VICKI QUINN, TODD L. MOODY, TRINITY HAVEN SCHLOTTMAN,
GUS FLANGAS, SAM CHERRY; (Against-None); (Abstain-None); (Did Not Vote-None);
(Excused-GLENN TROWBRIDGE)

Minutes:

CHAIR MOODY declared the Public Hearing open for Items 31-38.

STEVE GEBEKE, Planning Supervisor, reported that the applicant is proposing a Convalescent
Care Facility/Nursing Home with multiple Variances for residential adjacency, no offsite

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improvements along Starlight Drive and increased lot coverage. A Waiver is also required to eliminate streetlights along Starlight Drive. The applicant is proposing to overbuild the site, and no evidence of a unique or extraordinary circumstance has been presented substantiating the requests; the requested General Plan Amendment (GPA) and Rezoning would allow commercial uses to encroach into the residential subdivision east of Tenaya Way; therefore, staff recommended denial of all applications.

FARUS FARMANALI, applicant, stated that Items 1-38 for the nursing care facility are also related to Items 39-46 for the memory care facility. He introduced his brother, TONY FARMANALI, the owner and operator of Nevada Memory Care. MR. T. FARMANALI shared that when his family members fell ill about six years ago, he realized that Alzheimer's and Dementia patients need special care; they have no advocacy and cannot verbalize their feelings. He did a pilot program to determine what needed to be built so patients would be comfortable in their living environment when home care was no longer feasible. This is a request to build a facility in a residential neighborhood with a residential look which will provide a home-type setting for patients so they are not confused and disoriented. He showed a photograph of a facility that is currently in operation, and at a neighborhood meeting they invited everyone to visit the facility. MR. T. FARMANALI stated that they have done research and development for approximately six years, have held neighborhood meetings, and worked with City staff to address all of the concerns.

MR. F. FARMANALI explained that Convalescent Nursing Care is allowed under the R-E designation, but the property along Tenaya Way was zoned for Office use; staff recommended doing cohesive zoning, so a GPA for zoning and a Special Use Permit were requested. The subject property is two one-half-acre parcels that front on Tenaya Way, Azure Drive and Starlight Drive, and due to the amount of property being dedicated for improvements along the frontages of the property, it left a narrow building site; therefore, Variances regarding a 10-foot residential adjacency setback and lot coverage were requested. The neighbors wished to maintain the rural standards of the neighborhood, so a Variance and a Waiver regarding having no offsite improvements and no streetlights were requested. Because of the additional related items, a tremendous landscape buffer has also been provided on Starlight Drive. The front area of the property will be for visitors, and the parking in the back will be for the employees; access to the site will be off of Azure Drive and Tenaya Way.

MR. F. FARMANALI stated that they are building the nursing facility because once Alzheimer's patients who are in the memory care facility require a higher level of care, the patient will be able to remain in familiar surroundings. MR. T. FARMANALI explained that Dementia and Alzheimer's patients go through several phases; once the need for care changes, they can receive additional care by moving to another pod that will look identical to the one they were in. Because their surroundings do not change, they feel comfortable and safe. For continuum of care, and for lower level medical needs, they would like to have the skilled nursing facility close to the memory care instead of sending the patients to a regular hospital.

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BOYD BULLOCH shared that his wife has Dementia, and the applicant runs a facility he trusts. This type of facility is needed in Nevada, and the applicant has the right plan and the right people.

LON MALIK (phonetic) appeared in support of the project. He stated that there is a tremendous need for Alzheimer's and Dementia care in Las Vegas. His mother-in-law has Dementia, and his wife has taken care of her for 15 years; after exploring nearly every facility in town, they chose Nevada Memory Care. The facility provides a home style environment and has changed their lives for the better.

GARY HAYES appeared and did not dispute the vision, need or mission of the facility; he disputed the location. This facility would take away from the unique aspect of the neighborhood. There would be a parking lot behind his barn, and being a 92-bed facility, he was concerned about the trash pick-up and noise behind his house. He wondered where emergency vehicles would turn around and thought there would be an increase of traffic on Tenaya Way and Azure Drive.

CLINT and ELIZABETH COMBS appeared in opposition. COMBS referenced a map that showed how the project surrounds a home they own. COMBS confirmed for COMMISSIONER QUINN that their home is in between the two subject parcels. MS. COMBS thought the current facility was beautiful, but she did not approve of it being located on Starlight Drive and preferred that it stay on Tenaya Way. She also indicated that the landscape buffer would do nothing to protect their property as it is by the front of their home where there is already landscaping and a driveway. She was concerned about the traffic because there is an elementary school nearby. MR. HALEY added that this project would alienate them from their neighbors.

LYNN FENSTERMAKER appeared in opposition and was representing additional neighbors who could not attend this meeting. They did not oppose the reasoning to Office along Tenaya Way; however, they do not want to see spot zoning as this will affect their quality of life. She reported that this would also go against what City Council said regarding not approving spot zoning along Starlight Drive. She believed there is a true need for these types of facilities, but this is not the right location.

MR. F. FARMANALI reiterated that this project fronts on Tenaya Way and Azure Drive, and it will generate minimal traffic from family coming to visit patients. This will not impact the neighbors on Starlight Drive as there is no access to the site from Starlight Drive. He referred to MR. COMBS' comment regarding being alienated from his neighbors and stated that MR. COMBS is the property owner, but he does not live in the home. Two neighbors are impacted by this property, but MR. F. FARMANALI felt they had done what they could to work with the neighbors regarding the landscaping buffers and meeting the requirements.

MR. T. FARMANALI indicated that all of the issues being discussed had been brought up in the neighborhood meeting and had been addressed. He summarized accommodations they made

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regarding the locations of the trash, the parking lots and the courtyards, decreasing the number of beds in the facility, widening the setbacks, the circulation of emergency vehicles, providing walls so facility residents could not see into the neighbors' properties and leaving Starlight Drive completely rural.

CHAIR MOODY appreciated the neighbors' comments. He knew the applicant had held at least one neighborhood meeting and worked with MAYOR PRO TEM ROSS regarding this project. He thought this was a visionary project and added the residential look and feel. He also thought the applicant did a good job mitigating the traffic, and there would not be traffic concerns because of the nature of the facility. CHAIR MOODY loved the idea of a patient being in a pod and being able to move to another familiar pod as the diseases progress. The inside courtyards were great to protect the neighbors and keep the patients safe. The community needs this, and he thought this location was compatible with the surroundings, he was in support of this project.

COMMISSIONER QUINN felt this type of facility provided great relief for families, and she did not think that traffic was a concern. She asked if there was room to plant trees in front of the wall where the existing homes are located, and MR. T. FARMANALI showed the landscaping plan noting they would be planting mature trees. COMMISSIONER QUINN was in support of this item.

MR. T. FARMANALI confirmed for COMMISSIONER CHERRY that the request is to waive the offsite improvements on Starlight Drive and there will be sidewalks on Teraya Way and Azure Drive.

CHAIR MOODY declared the Public Hearing closed for Items 31-38.

