



## Memorandum

**TO:** Members of the Planning Commission

**FROM:** Nick Lagura, Associate Planner

**SUBJECT:** ASSISTED LIVING AND MEMORY CARE FACILITY, 8220 SUNRISE BLVD.  
USE PERMIT MODIFICATION AND DESIGN REVIEW PERMIT MODIFICATION  
EXTENSION (UPMODE-16-02 & DRPMODE-16-02)

**DATE:** January 11, 2017

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### **Background**

In 2008, the Planning Commission approved a 74,000 square foot building for an assisted living and memory care facility on a 4.5 acre site. The initial expiration date for the development entitlements was October 22, 2011. Subsequent extensions were filed and approved extending the development entitlements an additional two years.

In 2013, the former developer (FCM Capital Partners) applied for a Use Permit Modification and Design Review Permit Modification to increase the number of beds from 99 to 129 while the building square footage remained unchanged. The changes included additional parking and a large canopy near the building's main entrance was added to the building. The request was approved by the Planning Commission, and the project expiration date was reset to 2015.

Shortly after the modifications were approved, FCM Capital Partners submitted additional changes which included decreasing the number of beds to 93 – the building square footage still remained unchanged. Modifications to exterior building materials and colors were also made. In 2014 these changes were approved by staff as they were considered to be minor; major changes such as additional building square footage, increasing the number of beds or changes to the conditions of approval would have required Planning Commission approval.

In 2015, FCM Capital Partners submitted a request to extend the planning permits as the entitlements were set to expire that year. The request was granted by the Community and Economic Development Director extending the planning entitlements an additional 12 months.

### **Request**

The current owner, Neil Huettenhain, is requesting a subsequent time extension for the subject entitlements. The Zoning Code permits one subsequent time extension which requires Planning Commission approval.

According to Mr. Huettenhain, financing issues beyond his control delayed the project. The applicant believes he now has the proper team in place to move the project to construction. The extension will give the applicant sufficient time to submit construction documents, which are nearly complete, and obtain a Building Permit to begin construction. Unlike previous requests, the applicant is not proposing any changes to the project.

The Planning Commission has the authority to approve, approve with modifications or disapprove the extension request. If, after review, the Planning Commission finds that the permit should be modified or disapproved, the Commission should state the reasons and request that the project be rescheduled for a subsequent public hearing.

### **Recommendation**

Staff finds that there are no significant changes to the project that would cause the original project to be denied. Therefore, staff recommends approval of the one-year extension request subject to the conditions of approval shown in Exhibit A. If approved, the new and final expiration date will be December 11, 2017.

### **Motion**

If the Planning Commission supports staff's recommendation to approve the extension, the following motion should be made:

Motion:            Move to extend the expiration date for the Use Permit Modification and Design Review Permit Modification to December 11, 2017, subject to the Conditions of Approval listed in Exhibit A. In granting the extension, the Planning Commission finds that no substantial changes are present in the conditions or circumstances of the site or project such that there would have been grounds for denial of the original project.

### **Attachments:**

1. Vicinity Map

### **Exhibit:**

- A. Conditions of Approval
- B. Site Plan
- C. Exterior Elevations
- D. Landscaping Plan
- E. Grading Plan
- F. Photometric Plan
- G. Roof Plan
- H. First Floor Plan
- I. Second Floor Plan