

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0150-BR OVATION LIMITED PARTNERSHIP:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; and **2)** reduce driveway throat depth.

DESIGN REVIEW for a proposed mixed-use development on a 6.93 acre portion of a 14.57 acre site in a CC (Commercial Core) Zone.

Generally located south of Arby Avenue and west of Gagnier Boulevard within Spring Valley.
MN/jam/cv (For possible action)

RELATED INFORMATION:

APN:

176-04-412-002 through 176-04-412-004; 176-04-412-010

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the height of a proposed building to 73 feet, where 55 feet is the maximum height allowed per Section 30.04.03C (a 33% increase).
2. Reduce the throat depth for an existing driveway located along the north property line adjacent to Arby Avenue to 54 feet where a minimum of 150 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 64% reduction).

PROPOSED LAND USE PLAN:

SPRING VALLEY - ENTERTAINMENT MIXED-USE (ALLOWS 18 OR MORE DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 6.93 acre portion of a 14.57 total acre site
- Project Type: Mixed-use development (commercial/multi-family residential)
- Number of Units: 488
- Density (du/ac): 70
- Number of Stories: 5
- Building Height (feet): 7
- Square Feet: 87,003 (Building 1 with 10,950 square feet - retail)/87,003 (Building 2)/174,006 (total)
- Open Space Required/Provided: 48,800/55,500
- Parking Required/Provided: 721/806
- Sustainability Required/Provided: 7/8

Site Plans

The proposed plans depict the Phase 3 portion of the development. This project consists of 2 market-rate multi-family residential buildings (Building 1 and Building 2), each five stories, with structured parking podiums integrated beneath and between the buildings.

Building 1 contains 237 units and Building 2 contains 251 units, for a combined 488 units at a density of 70 dwelling units per acre. The unit mix includes studios, 1 bedroom, and 2 bedroom homes. Both buildings connect to internal private drives along Advanced Way, Gagnier Boulevard, and Arby Avenue, ensuring consistent circulation throughout all project phases.

A centrally organized system of plazas, courtyards, and recreation areas including Courtyard #1, Courtyard #2, Plaza #3, and a large pool deck provides distributed open-space amenities directly accessible from each building. Garage entries are located along internal drives with clearly marked loading and EV-charging areas. The site provides 806 total parking spaces, exceeding the 721 required under Title 30 for multi-family and associated uses. Bicycle parking requirements are also met with 54 bike spaces across 9 groupings. The site plan demonstrates compliance with setbacks, pedestrian connections, trash and loading placement, ADA parking distribution, and open-space thresholds, providing 55,500 square feet of open space. The commercial (retail) component of this development is located within the north side of Building 1.

Landscaping

The Phase 3 landscape plan continues the enhanced streetscape and interior open-space theme established in Phase 1 and Phase 2. Along Arby Avenue, a detached sidewalk with dual 5 foot landscape strips will be planted with medium trees spaced 20 feet on center. Parking lot landscaping meets Title 30 standards with tree placement in landscape islands and perimeter strips. Perimeter landscape buffers include 8 foot wide with medium trees at 20 feet on center, arranged in double-row offsets, consistent with earlier phases and exceeding minimum requirements.

Elevations

The Phase 3 elevations illustrate 2, five-story buildings with consistent architectural features shared with Phase 1 and Phase 2. The elevations show that the overall height is 73 feet, where 55 feet is the maximum allowed, hence the waiver request to increase the building height. The facades show varied massing, towers, parapet articulation, balanced window groupings, metal balcony rails, decorative metal awnings, and multi-tone stucco finishes. Mechanical equipment is roof-mounted and fully screened. The buildings maintain strong horizontal and vertical rhythm, enhancing compatibility with the larger mixed-use development.

Floor Plans

Phase 3 uses a 5 story podium residential configuration, with residential floors stacked above parking garage and retail components. Unit types match those in earlier phases such as studio units, 1 bedroom and 2 bedrooms options. The studio unit is 607 square feet, the 1 bedroom unit varies from 715 square feet to 776 square feet, and the 2 bedroom unit features 1,072 square feet to 1,848 square feet. Typical unit plans include open kitchens, walk-in closets, balconies or Juliet balconies in select units.

Podium parking serves both buildings and connects vertically to residential floors by multiple stairwells and 2 elevator cores per building. The floor plans show double-loaded corridors, accessible unit distribution, and amenity rooms such as lounge, fitness, and clubhouse spaces integrated at ground and upper levels. All vertical circulation and mechanical spaces are consistently aligned floor to floor. The approximate area for the retail component located within Building 1 is 10,950 square feet.

Applicant’s Justification

The applicant states that Phase 3 introduces 2, five-story market-rate multi-family buildings supported by structured parking, a full range of resident amenities, and an interconnected system of plazas and courtyards. The proposed architecture, massing, and site layout are compatible with surrounding development and consistent with the mixed-use framework and circulation established by the earlier phases. The project provides substantial on-site open space, enhanced pedestrian connectivity, and an attractive streetscape that collectively promote walkability and reinforce the character of the area.

The design incorporates contemporary building forms, varied parapets and tower elements, and a coordinated color palette that ensures visual cohesion with Phases 1 and 2 while providing a distinct, modern identity. Structured parking, internal pedestrian pathways, landscaping, and amenity spaces are thoughtfully arranged to create an efficient, functional, and resident-focused environment. Phase 3 delivers needed housing, supports the County’s long-range planning goals, and represents a compatible and appropriate use within the established mixed-use district.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-25-400015 (UC-22-0698)	First extension of time for a high impact project and mixed-use development	Approved by BCC	April 2025
VS-23-0282	Vacated and abandoned a portion of Butler Street - APN: 176-04-412-010 (only) - recorded	Approved by PC	July 2023
VS-22-0699	Vacated and abandoned patent easements and right-of-way	Approved by BCC	February 2023
UC-22-0698	Use Permit, waiver of development standards, and design review for a high impact project and mixed-use development	Approved by BCC	February 2023
ZC-20-0094	Zone change from C-2 to U-V zoning (now CC zoning) - use permits and design review for a mixed-use development - expired	Approved by BCC	June 2020
SC-18-0899	Street name change to name an unnamed private street to Advanced Way	Approved by PC	January 2019
TM-500174-07	Tentative map for a 1 lot commercial subdivision	Approved by PC	July 2007
ZC-0402-05	Zone change from R-E to C-2 zoning for a 20.9 acre medical complex including a hospital and medical office buildings.	Approved by BCC	April 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	CG & IP	Shopping center & distribution center
South	Business Employment	CG & IP	Office complex & undeveloped
East	Business Employment	CG	Assisted living facility
West	Corridor Mixed-Use	CG	Shopping center

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
PA-26-700009	A plan amendment to from Business Entertainment to Entertainment Mixed-Use is a companion item on this agenda.
UC-26-0135	A use permit, waivers of development standards, and design review for a senior affordable housing multi-family residential development is a companion item on this agenda.
UC-26-0149	A use permit, waivers of development standards, and design review for a senior housing multi-family residential development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

The applicant requests a waiver of development standards to allow a maximum building height of approximately 73 feet for the Phase 3 residential buildings, where 55 feet is permitted within the Commercial Core district. The additional height is primarily driven by the project's podium-style design, which incorporates multi-level structured parking beneath five levels of residential units. This integrated configuration allows the project to internalize nearly all required parking, reduce surface parking coverage, and support a more walkable and efficient site layout consistent with mixed-use development objectives. The resulting vertical mass is therefore a functional outcome of providing on-site parking, ground-floor retail, and residential circulation systems in a compact footprint rather.

The increased height is compatible with surrounding development patterns and does not create adverse visual or privacy impacts. The site is bordered by wide public rights-of-way, commercial uses, and previously approved multi-story buildings in the areas now designated for Phases 1 and 2. The architectural design incorporates parapet modulation, tower elements, and step-backs that break up massing and soften the building profile, ensuring that the additional height is not perceived as imposing or out of scale. Allowing the height increase also supports the County's goals of vertical integration of uses, efficient land utilization, reduced surface parking, and enhanced pedestrian orientation. Lastly, the applicant received approval for a building height increase via UC-22-0698 for 77 feet so this request is less than what was recently approved. For these reasons, staff can support this request.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The Phase 3 development demonstrates a cohesive architectural and site design that aligns with prior project phases and complements surrounding mixed-use and business-employment development. The 2, five-story residential buildings incorporate variation through tower features, articulated parapets, and a balanced pattern of windows and balconies. The use of a warm, multi-tone stucco palette reinforces visual interest and ties the project into the established character of Phases 1 and 2.

Site organization reflects a clear hierarchy of drives, structured parking access points, pedestrian connections, and plazas positioned between the buildings to provide usable open-space amenities. The podium-integrated garage structure efficiently serves residents while maintaining active building edges along public streets and internal drives. Proposed landscaping includes enhanced street frontages, double-row buffer plantings, and multiple interior courtyards. Overall, Phase 3 presents a well-integrated, contemporary, and functional design, reinforcing walkability, accessibility, and high-quality residential living.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the request for reduced throat depth for the easternmost commercial driveway on Arby Avenue, as it is for the parking garage. The vehicles entering the site from this driveway will move directly into the structured parking garage, allowing traffic to flow freely without internal conflict points. Additionally, the other driveways for this site proved more than the minimum required throat depth.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to

continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval. This item has been forwarded to the Board of County Commissioners for final action.

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.

PLANNING COMMISSION ACTION: April 21, 2026 – APPROVED – Vote: Unanimous

Comprehensive Planning

- Expunge UC-22-0698 and ET-25-400015 (UC-22-0698);
- Enter into a standard development agreement prior to any permits in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration 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 residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0454-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS: 9 cards

APPLICANT: JANET GOYER

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