

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-26-0135-BR OVATION LIMITED PARTNERSHIP:

USE PERMIT for senior housing.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase retaining wall height; and **2)** eliminate EV-capable parking spaces.

DESIGN REVIEW for a proposed multi-family residential development on a 4.18 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/kh (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 retaining wall to 5 feet, where 3 feet is the maximum height allowed per Section 30.04.03C (a 60% increase).
2. Eliminate EV-capable parking spaces where 48 EV-capable spaces are required per Section 30.04.05H.

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: 4.18 acre portion of a 14.57 total acre site
- Project Type: Multi-family residential (senior affordable housing)
- Number of Units: 190
- Density (du/ac): 46
- Number of Stories: 4
- Building Height (feet): 55
- Square Feet: 48,168
- Open Space Required/Provided: 19,000/27,000
- Parking Required/Provided: 190/191
- Sustainability Required/Provided: 5/5

Site Plan

The proposed project is part of a 3 phase development located on the subject parcels south of Arby Avenue and west of Gagnier Boulevard. The submitted plans depict Phase 1 for a senior affordable multi-family development which includes 190 units on approximately 4.18 acres (14.57 acres total for all phases) on parcels 176-04-412-010 and 176-04-412-003 at the southwest corner of the overall site.

Phase 1 is organized around a 4 story, E-shaped multi-family building. The internal circulation system includes a primary north-south private drive that extends from Arby Avenue (to the north) and connects to an internal access drive from Gagnier Boulevard to the east,

Parking areas are distributed evenly around the building and 191 spaces are provided where 190 parking spaces are required. No EV-capable parking spaces are provided, thus necessitating a waiver of development standards. The plan incorporates pedestrian walkway paths, bicycle parking, trash enclosures, and covered parking. Amenities identified on the site plan include the pool area, clubhouse, courtyard, vegetable garden planters, dog park, yoga areas, trellised seating, BBQ stations, and outdoor gathering areas, all centrally located to serve Phase 1 residents.

In the southwest corner of the site, the applicant proposes a retaining wall with a maximum height of five feet where 3 feet is the maximum allow; hence the waiver request. The increased height is necessary due to existing grade differentials along the shared property line and the need to properly transition elevations between Phase 1 and the adjacent developed areas.

Landscaping

The landscape plan for Phase 1 includes landscape finger islands in between the covered parking areas, as well as trees and shrubs surrounding the exterior of the building. Perimeter landscaping along the south and west property lines includes an 8 foot wide landscape strip with medium trees and shrubs to be planted 20 feet on center with shrubs. Along the north property line, medium trees are planted every 30 to 40 feet on center. Buffering and screening is not required; however, the applicant provided a significant number of trees for this phase.

Lastly, along Arby Avenue and Gagnier Boulevard, the plan features detached sidewalks with 5 foot wide landscape strips on each side of the side walk. The plan shows medium trees spaced every 20 feet with associated shrubs and groundcover.

Elevations

The building elevations depict a 4 story structure with parapet elements and tower features that give the building a varied and articulated profile. The building height transitions from Level 1 at ground level to the top of Level 4, with parapets rising above the roofline and tower forms extending slightly higher. The overall height is shown at 55 feet, meeting Title 30. The exterior is composed of a multi-color stucco palette utilizing complementary tones across all façades, providing visual interest and avoiding monolithic massing. The elevations illustrate consistent window placement, vertically aligned openings, and architectural breaks to reinforce rhythm and reduce façade scale. Rooftop mechanical equipment is screened behind parapets. Overall, the

elevation design reflects a contemporary architectural character consistent with previous multi-family approvals in the area.

Floor Plans

The building consists of 4 residential levels stacked above common-area functions on Level 1. The unit floor plans includes 1 bedroom and 2 bedroom units ranging between approximately 662 to 665 square feet for 1 bedroom layouts and 888 to 955 square feet for 2 bedroom layouts. Unit floor plans feature open living and kitchen configurations, walk-in closets, optional balconies on select one-bedroom units.

Level 1 contains the primary resident services and amenity components, including the leasing office, mail center, lockers, vending area, food pantry, mail center, great room, kitchen area, fitness center and restrooms.

Level 2 includes a wellness room, computer room, and lounge/library. Level 3 includes the game room and salon and Level 4 includes a movie room and a dedicated laundry room. Vertical circulation is provided by 6 stairwells and 2 elevators located to ensure accessibility across all levels.

Applicant’s Justification

The applicant states that this proposed development is a high-quality senior affordable multi-family community that remains consistent with the previously approved mixed-use framework for the site and compatible with surrounding uses. This project delivers 190 units within a four-story building designed to provide accessible, senior-focused housing supported by a full suite of indoor and outdoor amenities . The site plan organizes circulation, parking, and pedestrian connections efficiently, while streetscape enhancements, detached sidewalks, and a robust landscape program exceed minimum requirements and contribute to an attractive, well-integrated development. The applicant also seeks a waiver to allow a 5 foot retaining wall in the southwest corner where 3 feet is permitted; additional height is necessary to address existing grade changes and ensure proper site function without creating visual or compatibility impacts. As designed, Phase 1 supports the County’s goals for infill, redevelopment, and diverse housing options, and represents an appropriate and beneficial use of the property.

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

Prior Land Use Requests

Application Number	Request	Action	Date
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 from Business Entertainment to Entertainment Mixed-Use 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.
WS-26-0150	A waivers of development standards and design review for a mixed-use 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

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety,

and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

In the CC zone, Title 30 allows a use permit to establish the density of senior housing in conjunction with a multi-family residential development per approved plans. This request is to allow 46 units per acre for a proposed affordable senior housing project on the subject site. The request complies with Policy 1.4.4 of the Master Plan which encourages infill development and redevelopment in established neighborhoods while promoting compatibility with the scale and intensity of the surrounding area. This request also complies with Goal 1.2 of the Master Plan which seeks to expand the number of long-term affordable housing units available in Clark County. For these reasons, staff can support this request.

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 Standard #1

The request is to allow a retaining wall located along the southwest property line of the site to be up to 5 feet in height. The increase in the retaining wall height is due to the existing grade at the adjacent developed property versus the proposed grade on this development. For these reasons, staff can support this request.

Waiver of Development Standard #2

This waiver of development standards request is to waive the requirement for 48 EV-capable parking spaces. The applicant is proposing 6 EV-installed parking spaces, which is the required number per code, with spaces being dispersed throughout the site. Staff finds that this proposed community may have reduced driving needs and may rely more on shared transportation services offered by private companies or the Regional Transportation Commission (RTC) of Southern Nevada. 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 proposed senior affordable multi-family development in Phase 1 demonstrates a cohesive architectural and site design that is compatible with surrounding development and consistent with the intent of the Commercial Core zoning district. The building incorporates a 4 story, E-shaped configuration that provides visual interest on all sides through varied massing,

articulated parapets, tower elements, and a balanced window rhythm. The project integrates a full suite of resident amenities on all four levels, ensuring active, populated spaces throughout the building. Site circulation is well-organized, with pedestrian pathways, accessible connections, and evenly distributed parking fields that minimize conflicts and promote walkability. Landscape treatments along the frontages and perimeter soften the building edges, enhance the streetscape, and strengthen compatibility with adjacent uses. The overall design reflects thoughtful placement of amenities, building orientation, and open-space components to create a functional and attractive environment tailored to senior residents.

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);
- A subdivision map removing the subject site from the recorded commercial final map must be recorded prior to the issuance of building permits;
- 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;
- Full off-site improvements on Arby Avenue and Gagnier Boulevard.

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 that fire/emergency access must comply with the Fire Code as amended.

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

CONTACT: JANET GOYER, OVATION CONTRACTING, INC., 10650 W. CHARLESTON BOULEVARD, SUITE 150, LAS VEGAS, NV 89135