

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-26-400020 (ZC-23-0042)-AXIOM LIVING, LLC:

WAIVERS OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME for the following: **1)** increase building height; **2)** reduce building separation; and **3)** allow modified driveway design standards.

DESIGN REVIEWS for the following: **1)** alternative parking lot landscaping; **2)** off-site parking; and **3)** a multi-family development on 4.50 acres in an RM50 (Residential Multi-Family 50) Zone within the Airport Environs (AE-60) Overlay.

Generally located west of Montessori Street (alignment) and south of Wagon Trail Avenue (alignment) within Spring Valley. MN/md/kh (For possible action)

RELATED INFORMATION:

APN:

176-03-511-005 through 176-03-511-007

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 65 feet where a maximum building height of 50 feet is permitted per Table 30.40-3 (a 30% increase).
2. Eliminate building separation where a minimum of 10 feet is required between the proposed multi-family building and existing parking garage per Table 30.40-3.
3. Eliminate the throat depth for a driveway at the intersection of Montessori Street and Wagon Trail Avenue where a minimum of 150 feet is required per Uniform Standard Drawing 222.1.

LAND USE PLAN:

SPRING VALLEY - URBAN NEIGHBORHOOD (GREATER THAN 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.5
- Project Type: Multi-family residential development
- Number of Units: 131
- Density (du/ac): 29.7
- Number of Stories: 5
- Building Height (feet): 62 (per AV-24-900820)
- Open Space Required/Provided: 13,100/16,301

- Parking Required/Provided: 207 (multi-family) & 200 (existing office building)/571 (total number of existing parking spaces)

History and Request

PA-23-700004, a plan amendment to redesignate the project site (APN 176-03-511-006) from Business Employment (BE) to Urban Neighborhood (UN) was approved by the Board of County Commissioners (BCC) in April 2023. The corresponding zone change, ZC-23-0042, reclassified the site from C-2 to an R-5 (now RM50) zoning district for a proposed 5 story multi-family residential building. Previously, WS-18-0953 was approved by the BCC in January 2019 for an office building, which is constructed immediately south of the project site on APN 176-03-511-005 and in the CG zoning district. AV-24-900820 was approved in January 2025 for revisions to the previously approved multi-family development for reduced building height, increased open space, and reconfigured architectural trim. The first extension of time for the multi-family development was approved administratively via ADET-25-900308 in May 2025. The applicant is now requesting a second extension of time for ZC-23-0042 to commence the multi-family residential project.

Site Plan

The previously approved plans depict a 5 story multi-family residential development consisting of 131 dwelling units with a density of 29.7 dwelling units per gross acre. The proposed multi-family building is located on the north portion of the project site and has been designed with the following setbacks: 1) 382 feet from the south property line, adjacent to Rafael Rivera Way; 2) 63.5 feet from the east property line; 3) 54 feet from the north property line; and 4) 65.5 feet from the west property line. Immediately to the south of the proposed multi-family building is an existing 3 story parking garage with the following setbacks: 1) 200 feet from the south property line, adjacent to Rafael Rivera Way and 42 feet from the rear of the office building; 2) 74.5 feet from the east property line; 3) 257 feet from the north property line; and 4) 10 feet from the west property line. A waiver of development standards was included to eliminate the building separation between the existing parking garage and the proposed multi-family development.

Landscaping

The approved plans depict an existing street landscape area adjacent to Rafael Rivera Way measuring 15 feet in width with an attached 5 foot wide sidewalk. The street landscape area consists of trees, shrubs, and groundcover. The existing landscaping around the perimeter of the site has been designed as follows: 1) 10 foot wide landscape area on the west property line; 2) 5 foot wide landscape area on the north property; and 3) 6 foot wide landscape area on the east property line. All landscape areas consist of trees, shrubs, and groundcover.

The multi-family development requires 13,100 square feet of open space where 16,301 square feet of open space was provided per approved plans with AV-24-900820. The open space consists of a courtyard and pool, dog park (northwest corner of the site), and a fifth level amenity deck. A design review for alternative parking lot landscaping was part of the original request. In lieu of providing the required amount of landscape finger islands within the interior of the site, additional trees are distributed throughout the interior of the development. The development

requires a total of 107 trees where 157 trees are distributed throughout the interior and perimeter of the site.

Elevations

The previously approved plans depict a 5 story multi-family residential building with varying rooflines measuring up to 62 feet in height to the top of the parapet wall per approved plans with AV-24-900820. The building materials consist of a stucco exterior with accent wood tiles on the underside of the ceiling at the fifth floor amenity deck and an aluminum storefront window system. The building will be painted with neutral/grey tones and a dark blue color feature.

Floor Plans

The previously approved plans depict a 5 story multi-family residential building featuring 65, one bedroom units, and 66, two bedroom units.

Previous Conditions of Approval

Listed below are the approved conditions for ADET-25-900308 (ZC-23-0042):

Current Planning

- Until April 19, 2026 to commence.
- Applicant is advised that the application must complete/commence by the stated date 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.

Listed below are the approved conditions for ZC-23-0042:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Provide a loading zone by striping 3 parking spaces;
- Record a parcel map prior to the issuance of building permits;
- Provide cross access and shared parking through the recording of perpetual cross access, ingress/egress and shared parking easements or agreements between APNs 176-03-511-002 and 176-03-511-003 prior to the issuance of building permits;
- Enter into a standard development agreement prior to any permits or subdivision mapping 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 final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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 the waivers of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Beltway Frontage Road improvement project.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- 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 is advised 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.

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 #0046-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant’s Justification

There have been no substantial changes in the area to warrant denial of this extension of time request. The site is adjacent to existing multi-family developments and there have been no new approvals near the site. Therefore, the approved project is compatible with the surrounding area. Furthermore, multiple permits have been submitted to the Building Department, which include the multi-family building, the trash enclosure, dog park, and pool equipment and trellis building. The project is expected to commence within 1 year.

Prior Land Use Requests

Application Number	Request	Action	Date
ADET-25-900308 (ZC-23-0042)	First extension of time for a multi-family development	Approved by ZA	May 2025

Prior Land Use Requests

Application Number	Request	Action	Date
AV-24-900820	Minor Deviation for revisions to the previously approved multi-family development	Approved by ZC	January 2025
PA-23-700004	Plan amendment to re-designate the land use category from Business Employment (BE) to Urban Neighborhood (UN)	Approved by BCC	April 2023
ZC-23-0042	Zone change to R-5 (now RM50) zoning with waivers of development standards and design reviews for a multi-family development	Approved by BCC	April 2023
WS-22-0576	Waiver of development standards for a freestanding sign	Approved by BCC	December 2022
WS-19-0776	Waiver of development standards for a freestanding sign - expired	Approved by BCC	November 2019
WS-18-0953	Waiver of development standards and design review for office buildings and a parking garage	Approved by BCC	January 2019
WS-0607-08	Waiver of development standards for freestanding signs with a design review for a comprehensive sign package - expired	Approved by BCC	December 2008
UC-0586-08	Use permit and design review for a professional office complex and parking garage - expired	Approved by BCC	July 2008
ZC-0803-07	Zone change the northern 2.5 acres to C-2 zoning with a design review for an office complex on 5 acres	Approved by BCC	August 2007
ZC-0759-06	Zone change the middle 1.3 acres to C-2 zoning for a future commercial development	Approved by BCC	July 2006
ZC-2027-97	Zone change the southern 1.3 acres to C-2 zoning for a convenience store and gasoline station	Approved by BCC	January 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Business Employment	IP (AE-60)	Undeveloped
South	Business Employment	CG (AE-60)	CC 215
West	Business Employment	RM18 (AE-60)	Multi-family residential

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

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

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds the applicant has provided justification to warrant an extension of time for the previously approved project. Circumstances within the surrounding area have not substantially changed; therefore, staff recommends approval for this second extension of time request.

Public Works - Development Review

The applicant has complied with all of Public Works conditions. Therefore, staff has no objection to this extension of time.

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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until April 19, 2028 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of the application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTEST:

APPLICANT: AXIOM LIVING, LLC

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