#### 02/02/21 PC AGENDA SHEET

## **UPDATE** AGATE AVE/BUFFALO DR

RESIDENTIAL SUBDIVISIONS (TITLE 30)

#### PUBLIC HEARING APP. NUMBER/OWNER/DESCRIPTION OF REQUEST NZC-20-0524-MAK ZAK LLC, ET AL:

**HOLDOVER ZONE CHANGES** for the following: **1**) reclassify 9.8 acres from R-E (Rural Estates Residential) (RNP-I) Zone to R-2 (Medium Density Residential) Zone; and **2**) reclassify 7.4 acres from R-E (Rural Estates Residential) (RNP-I) Zone and C-2 (General Commercial) Zone to RUD (Residential Urban Density) Zone.

**<u>USE PERMIT</u>** for a planned unit development (townhomes).

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height; 2) reduce setbacks; 3) reduce parking; 4) increase the number of dwelling units accessing a private drive; 5) reduce street intersection off-set; 6) alternative residential driveway geometrics; 7) reduce curb radius; and 8) allow an inverted street cross section.

**DESIGN REVIEWS** for the following: 1) a single family residential subdivision on 9.8 acres; 2) a townhome planned unit development on 7.4 acres; 3) allow a hammerhead cul-de-sac design; and 4) increased finished grade.

Generally located on the north and south sides of Agate Avenue, 280 feet west of Buffalo Drive within Enterprise (description on file). JJ/jt/jd (For possible action)

**RELATED INFORMATION:** 

#### APN:

176-21-501-030; 176-21-601-005; 176-21-601-022 through 176-21-601-023

#### WAIVERS OF DEVELOPMENT STANDARDS:

- 1. Increase block wall height to 11 feet (5 feet of retaining wall plus 6 feet of screen wall) where 9 feet (3 feet of retaining wall plus 6 feet of screen wall) is the maximum per Section 30.64.050 (a 23% increase).
- 2. a. Eliminate the setback for residential units from a drive aisle where 10 feet is required per Section 30.24.080 (a 100% reduction).
  - b. Reduce height/setback ratio to 10 feet where 58 feet 6 inches is required from the townhomes to a single family residence to the east per Figure 30.56-10 (a 83% reduction).
  - c. Reduce height/setback ratio to 7 feet where 58 feet 6 inches is required from the townhomes to a single family residence to the south per Figure 30.56-10 (a 88% reduction).
- 3. Reduce parking for a townhome planned unit development to 224 spaces where 253 spaces are required (a 13% reduction).

- 4. Increase the number of dwelling units accessing a private drive to 8 where 6 is the maximum per Section 30.52.030 (a 34% increase).
- 5. a. Reduce the street intersection off-set between Miller Lane and Private Drive H to 60 feet where 125 feet is the minimum per Section 30.52.052 (a 52% reduction).
  - b. Reduce the street intersection off-set between Miller Lane and Private Drive I to 60 feet where 125 feet is the minimum per Section 30.52.052 (a 52% reduction).
- 6. Reduce the distance from a residential driveway to a property line to 2 feet where 6 feet is the minimum per Uniform Standard Drawing 222 (a 67% reduction).
- 7. Reduce minimum back of curb radius to 15 feet where 20 feet is the minimum per Uniform Standard Drawing 201 (a 34% decrease).
- 8. Allow an inverted street cross section where a crown street cross section is required per Uniform Standard Drawing 210.S1.

## **DESIGN REVIEWS:**

- 1. Single family subdivision on 9.8 acres.
- 2. Townhome planned unit development on 7.4 acres.
- 3. Allow a hammerhead cul-de-sac design where not allowed per Section 30.56.080.
- 4. Increase finished grade to 60 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 234% increase).

## LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

## **BACKGROUND:**

## **Project Description**

General Summary - Single Family Subdivision (north of Agate Avenue)

- Site Address: N/A
- Site Acreage: 9.8
- Number of Lots: 78
- Density (du/ac): 8
- Minimum/Maximum Lot Size (square feet): 3,300/5,783
- Number of Stories: 2
- Building Height: 24 feet, 7 inches
- Square Feet: 1,562/1,673/1,836

General Summary - Townhome Planned Unit Development (south of Agate Avenue)

- Site Address: N/A
- Site Acreage: 7.4
- Number of Lots: 100
- Density (du/ac): 13.6
- Minimum/Maximum Lot Size (square feet): 945/965
- Number of Stories: 2
- Building Height: 25 feet, 6 inches

- Square Feet: 1,308/1,344/1,405/1,426
- Open Space Required/Provided (square feet): 25,146/55,552
- Parking Required/Provided: 253/224

## **Neighborhood Meeting Summary**

Meeting invitations were mailed to property owners within a 1,500 foot radius of the site for a virtual neighborhood meeting, which was held on August 24, 2020 at 5:30 p.m. Six neighbors attended the virtual meeting, and 4 attendees expressed opposition. Items discussed at the meeting included providing larger lots on the perimeter of the site and requiring a noise/odor disclosure for new homeowners since the subdivision will be adjacent to residential properties with horses.

### Site Plans

Single Family Subdivision (north of Agate Avenue):

The plans depict a single family residential subdivision on 9.8 acres on the north side of Agate Avenue. Public Streets will include Agate Avenue, which runs east/west, and Warbonnet Way and Miller Lane, which run north/south. These public streets are 60 feet wide with 5 foot wide sidewalks on each side. Private streets that are 44 feet wide with a 5 foot wide sidewalk on one side include a private street running east/west connecting Warbonnet Way and Miller Lane, and 2 private streets that extend north of Agate Avenue and end in a hammerhead cul-de-sac design.

Larger lots ranging in size from 4,586 square feet to 5,783 square feet are located adjacent to an existing single family residence to the north of the site. Similarly, larger lots ranging in size from 5,017 square feet to 5,173 square feet are located adjacent to an existing single family residence to the east of the site. All the other lots in the subdivision are at least 3,300 square feet.

Townhome Planned Unit Development (south of Agate Avenue):

The plans depict a townhome development on the south side of Agate Avenue, the east side of Warbonnet Way, and the east and west sides of Miller Lane. Approximately 2.4 acres of the project are located on the east side of Miller Lane, and approximately 5 acres are located on the west side of Miller Lane. Miller Lane provides the only vehicular access to both the east and west sides of the development. Entrance drives are 33 foot wide private drives, and within the townhome development, the private drives are 25 feet wide. Speed humps are provided to slow traffic on the longer sections of the internal private drives.

Townhomes are arranged into 25 separate 4 plex buildings. Eight of the buildings are located on the east side of Miller Lane, and 17 buildings are located on the west side of Miller Lane. A reduction to the minimum height/setback ratio is required since proposed setbacks are 10 feet to the east, which is adjacent to a single family residence, and 7 feet to the south, a portion of which is adjacent to a single family residence. Setbacks for the individual townhomes are as follows:

- Front: 7 feet
- Side: zero feet

- Rear: zero feet
- Garage/Driveway: zero feet

Townhome buildings around the perimeter of the project include a 5 foot rear setback for the garages and driveways. However, the townhomes in the center of the project include garages adjacent to both sides of 25 foot wide drive aisles. This requires a wavier of development standards to eliminate the setback for residential units from drive aisles where a minimum 10 foot setback is required.

Landscaping

Single Family Subdivision (north of Agate Avenue):

Landscaping is included on common lots on the side of certain residential lots adjacent to the public streets. In addition, trees are shown in the rear and side yards of residential lots along the east, north, and west perimeter of the subdivision to help provide an additional landscape buffer.

Townhome Planned Unit Development (south of Agate Avenue):

Open space with landscaping is provided on common lots around the perimeter of the project, around the 4 plex buildings, and on a 24,901 square foot centralized common lot on the west side of the entrance from Miller Lane. Within the centralized common lot, amenities will include landscaping, pedestrian paths, and benches. In addition, the perimeter landscape buffers, consisting of 24 inch box trees spaced 30 feet on center, are provided adjacent to the single family residence to the east and the single family residence to the south. The applicant indicates that the perimeter of the townhome development will be fenced; however, pedestrian access gates will be provided to the exterior of the project to access parking spaces on the public streets. Also, the vehicular driveways are not gated.

#### Elevations

Single Family Subdivision (north of Agate Avenue):

Homes within the single family residential subdivision are 2 stories and extend up to 24 feet 7 inches to the top of the pitched barrel tile roof. Exterior materials include painted stucco and decorative foam pop-outs around the windows on the front of the house and above the windows and sliding glass door on the side and rear.

Townhome Planned Unit Development (south of Agate Avenue):

The townhomes are 2 stories and extend up to 25 feet 6 inches to the top of the pitched asphalt shingle roof. Exterior elevations include multiple off-set surface planes painted solid subdued grey, blue, and off-white to help break-up the visual mass of the buildings. The exterior will consist of painted stucco.

<u>Floor Plans</u> Single Family Subdivision (north of Agate Avenue): Floor plans for the single family homes are 1,562, 1,673, and 1,836 square feet. The first floor includes a 2 car garage, great roof, dining room, kitchen, and half bathroom. The second floor includes bedrooms, bathrooms, and laundry room.

Townhome Planned Unit Development (south of Agate Avenue):

Floor plans for the townhomes are 1,308, 1,344, 1,405, and 1,426 square feet. The first floor includes either a 1 or 2 car garage, kitchen, and living space. The second floor includes the bedrooms and bathrooms. There is no bathroom on the first floor for any model of the townhomes. Although 3 plex options were included with the floor plans, the site plan indicates that the project will only include 4 plex townhome buildings.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states that the project is consistent with the current trends of residential development in the area. The zoning is appropriate, and the alternative standards are the minimum necessary to development the site.

For example, the increased finished grade is necessary due to the existing slope of the site from west to east. Fill areas will be located along the eastern portion of the site to accommodate existing drainage patterns. Similarly, the increased retaining wall is due to the slope of the site. Increased wall height will only occur along the western boundary of the site, adjacent to Warbonnet Way. Lots adjacent to Warbonnet Way will be set below the grade of the street, which necessitates increasing the retaining wall from 3 feet to 5 feet. This portion of the site will be lowered to accommodate existing drainage patterns.

The proposed hammerhead street design will not create any negative impacts since the proposed single family residential development will include 20 foot driveways and 2 car garages.

Regarding the waivers of development standards, the applicant indicates that the alternatives will not negatively impact adjacent properties. For instance, the reduced/height setback ratio should not create any negative impacts to the 2 adjacent single family residential lots. Large 24 inch box trees are provided to help create a visual buffer. Reduced setbacks for the residential units from drive aisles for the perimeter units is 5 feet, and the reduced setbacks for the centralized residential units to zero is appropriate for the overall compact design of the project. Also, according to the applicant, the reduction in parking for the townhome development is minor, and it will not impact the livability of the development.

Several waivers of development standards are necessary for off-site development requirements. According to the applicant, increasing the number of dwelling units that access a private drive from 6 to 8 units will not impact the livability of the development since the 25 foot wide private drives are connected on either side to wider private drives. This will allow 2 points of access rather than a single point of access on a cul-de-sac or dead-end drive.

Reducing the street intersection off-set is necessary due to the design of the townhomes and the narrowness of the parcels. Speed of drivers will already be reduced in the townhome development, and the number of drivers accessing these private drives will mostly be limited to residents.

The reduced setback from the driveways to the property lines in the townhome complex is due to the types of units proposed. The applicant does not anticipate any detriment to the livability or safety of the development with the reduced driveway setbacks.

A 15 foot back radius on the stub drives within the townhome development is necessary due to the limited area between the main access drives and the stub streets. These areas will serve a maximum of 3 units, the opposite curb radius is the standard 20 feet, and they will not limit any vehicular movements or Fire Department access.

Lastly, an inverted street section is necessary to avoid water going into the garages of the townhome units. The inverted street section will channel water to the wider private drives, which will convey water to the appropriate area.

Overall, the applicant indicates that the project is in harmony with the general purpose, goals, objectives, and standards for Clark County.

| Application  | Request  | Action   | Date     |
|--------------|--|----------|----------|
| Number       |  |          |          |
| PA-18-700015 | Plan amendment to change the land use category     | Approved | March    |
|              | for 20 acres, which included the portion of the    | by BCC   | 2019     |
|              | site north of Agate Avenue, from RNP to RS;        |          |          |
|              | reduced to RL (Residential Low) by the Board       |          |          |
|              | of County Commissioners                            |          |          |
| ZC-1026-05   | Reclassified approximately 3,800 parcels,          | Approved | October  |
|              | including the northern and eastern portion of the  | by BCC   | 2005     |
|              | subject site, to R-E (RNP-I) zoning                |          |          |
| ZC-0001-07   | Reclassified the southwestern portion of the       | Approved | February |
|              | subject site to C-2 zoning for a grocery store and | by BCC   | 2007     |
|              | convenience store                                  |          |          |

#### **Prior Land Use Requests**

#### **Surrounding Land Use**

|       | Planned Land Use Category      |              | <b>Zoning District</b> | Existing Land Use |        |             |   |
|-------|--------------------------------|--------------|------------------------|-------------------|--------|-------------|---|
| North | Rural                          | Neighborhood | R-E (RNP-I)            | Single            | family | residential | & |
|       | Preservation (up to 2 du/ac) & |              |                        | undevel           | oped   |             |   |
|       | Public Facil                   | lities       |                        |                   |        |             |   |

#### Surrounding Land Use

|       | Planned Land Use Category         | Zoning District   | Existing Land Use           |
|-------|-----------------------------------|-------------------|-----------------------------|
| South | Residential High (8 du/ac to 18   | R-E & C-2         | Single family residential & |
|       | du/ac) & Commercial General       |                   | undeveloped                 |
| East  | Rural Neighborhood Preservation   | R-E (RNP-I) & R-E | Single family residential   |
|       | (up to 2 du/ac) & Commercial      |                   |                             |
|       | General                           |                   |                             |
| West  | Residential Low (up to 3.5 du/ac) | R-E (RNP-I) & R-E | Undeveloped                 |
|       | & Residential High (8 du/ac to 18 |                   |                             |
|       | du/ac)                            |                   |                             |

The subject site and surrounding area are in the Public Facilities Needs Assessment (PFNA) area.

### **Related Applications**

| Application  | Request   |
|--------------|---|
| Number       |   |
| VS-20-0523   | A vacation and abandonment of patent easements on a parcel located in the     |
|              | southeast portion of this overall project is a companion item on this agenda. |
| TM-20-500185 | A tentative map for a single family subdivision north of Agate Avenue is a    |
|              | companion item on this agenda.  |
| TM-20-500186 |   |
|              | Avenue is a companion item on this agenda.                                    |

## **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

#### Analysis Current Planning

# Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

1. A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.

Since the last amendment to the Enterprise Land Use Plan in 2019, there has been significant development of residential and commercial projects in the planning area. Therefore, the trend in development makes the residential zoning appropriate.

2. The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.

Twenty-five acres of undeveloped land to the north of this development is planned Public Facility uses, undeveloped land to the west is planned for Residential Low and Residential High uses, and undeveloped parcels to the south are planned for Commercial General uses. Although 1 single family residential lot (2 acres) is located to the north side of the project, a 2.5 acre undeveloped lot north of the site is planned for Rural Neighborhood Preservation uses, and 2 single family residential lots (1.9 acress each) are located to the east, the majority of the surrounding undeveloped land is planned for uses with similar density and intensity to the proposed zoning districts.

3. There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.

The proposed residential zoning districts will not result on any additional impacts on the surrounding infrastructure not already contemplated for the area. However, the Clark County School District indicates that Steele Elementary School, Canarelli Middle School, and Sierra Vista High School were all over capacity for the 2019-2020 school year.

4. The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.

The proposed zoning districts comply with several goals and policies in the Comprehensive Master Plan. For example, Land Use Goal 2 encourages a mix of residential, commercial, and public facility uses. Public Facility uses are planned to the north of this site (however, the parcel planned for Public Facility uses closest to the subject project is under private ownership), and commercial uses are planned to the south of the site. As a result, the residential zoning will create a transition and mix of uses in the area. Similarly, Urban Specific Policy 7 encourages, in part, land uses that are complementary and of a similar scale and intensity. The single family zoning north of Agate Avenue is a similar intensity to the planned Residential Low uses to the west, Public Facility uses to the north, and the Commercial General uses to the south. South of Agate Avenue, the proposed Residential Urban Density zoning would allow up to 14 units per acre. This is complementary and similar intensity to the planned Residential High uses to the west and Commercial General uses to the south. Lastly, Land Use Goal 7 encourages housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The proposed zoning would allow both townhomes and single family residential development to help diversify the housing supply.

#### Summary

#### Zone Changes

Staff can support the proposed nonconforming zone changes for R-2 zoning north of Agate Avenue and RUD zoning south of Agate Avenue. The zoning districts will provide a transition from the Commercial General Uses to the south, Residential High and Residential Low uses to the west, and Public Facility uses to the north. In addition, there is a trend in residential development in the area. The zoning will not result in any unforeseen impacts on infrastructure, and the zoning requests comply to goals and policies in the Comprehensive Master Plan.

#### Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Planned unit developments shall minimize adverse impacts on surrounding property, encourage in-fill development, and provide consistency with applicable goals and policies. Staff finds that the planned unit development is appropriate as a transition from the commercial uses to the south to the single family residential uses to the north. The project is located on an in-fill site near Blue Diamond Road and Buffalo Drive, and the project is consistent with goals and policies in the Comprehensive Master Plan. For example, Land Use Goal 7 encourages housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The proposed planned unit development with townhomes will create a housing alternative for residents. Therefore, staff can support the request.

#### Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

### Waiver of Development Standards #1

An increased retaining wall height is necessary to develop this site to accommodate the existing slope and drainage patterns. The increased retaining wall to 5 feet where 3 feet is allowed will only occur along the western portion of the site, adjacent to Warbonnet Way. Street landscaping is provided along Warbonnet Way, and there should be no visual impact to the public realm since the pad sites along Warbonnet Way will be lower than the grade of the street. Therefore, staff can support the request.

#### Waiver of Development Standards #2a

The reduction of the setback between residential units and drive aisles will be 5 feet for the units around the perimeter of the site and no setback for the units centralized in the townhome project. A 5 foot setback may provide adequate space for vehicles to access the perimeter units since the garages are only on 1 side of each private drive. However, garages on units in the central portion of the site are located on both sides of the 25 foot private drive with no setback. Visibility is substantial reduced when backing out of a garage and this design without any setback and with garages on both sides of the private drives creates an unsafe situation, and staff cannot support the request. In addition, garages and residential units with no setback on both sides of the private drives will create a negative canyon effect for residents.

#### Waiver of Development Standards #2b & #2c

Although the height/setback ratio is reduced adjacent to a residential lot to the east and adjacent to a residential lot to the south, both residential parcels are planned for Commercial General

uses. The parcel to the east is located adjacent to Buffalo Drive, and the parcel to the south could be incorporated into a larger commercial development with access from Blue Diamond Road. In addition, the plans depict large 24 inch box trees that will help provide a buffer between the townhomes and the 2 existing residents. Therefore, staff can support the request.

#### Waiver of Development Standards #3

Staff does not anticipate any negative impacts from the 13 percent reduction in parking spaces for the townhome development. Each unit will have either a 1 or 2 car garage, shared parking spaces are provided within the development, and on-street parking will be provided on Warbonnet Way, Agate Avenue, and Miller Lane. However, staff recommends a minimum of 2 pedestrian access points on Warbonnet Way, 3 pedestrian access points to Agate Avenue for the portion of the townhome development west of Miller Lane, and 2 pedestrian access points to Agate Avenue for the portion of the townhome development east of Miller Lane.

#### Design Reviews #1 & #3

The proposed single family development includes multiple access points to the surrounding public streets, and the development will be integrated into the community. Also, staff does not anticipate any negative impacts from the hammerhead street design since each house will have a 20 foot driveway and 2 car garage. Lastly, larger lots are located adjacent to the single family residence to the north and to the east. As a result, staff can support design review #1 and design review #3.

#### Design Review #2

Urban Specific Policy 39 encourages higher density residential developments to be arranged in clusters to increase usable open space and recreational facilities. The proposed townhome planned unit development clusters the residences into 4 plex buildings, which increases the open space around the perimeter of the site and within the centralized 24,901 square foot common lot to west of Miller Lane. Overall, the planned unit development complies with the intent to maximize flexibility in residential development, in part, to help increase usable open space. As a result, staff can support design review #2.

### **Public Works - Development Review**

#### Waiver of Development Standards #4

Staff has no objection to the request to increase the number of dwelling units to access a private drive provided that Fire Prevention approves the request.

#### Waiver of Development Standards #5

Staff has no objection to the reduction in the street intersection off-sets for between Miller Lane and Private Drive H or Miller Lane Private Drive I. The applicant provided additional common lots adjacent to Private Drive C and Private Drive D, so visibility will be improved for those entering the site.

#### Waiver of Development Standards #6

Staff has no objection to the reduction in the distance from the driveways to the property lines as this is a typical development pattern with single family attached products.

#### Waiver of Development Standards #7

Staff has no objection to the request to reduce the back of curb radius on the private streets provided that Fire Prevention approves the request.

#### Waiver of Development Standards #8

Staff has no objection to allowing an inverted crown on the private streets within the proposed subdivision. Through the technical studies, the applicant must demonstrate that this request will not be detrimental to the subdivision.

#### Design Review #4

This design review represents the maximum grade difference along the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

#### **Staff Recommendation**

Approval of zone changes, use permit, waivers of development standards #1, #2b, #2c, #3, #4, #5, #6, #7, #8, and design reviews; denial of waiver of development standards #2a. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 3, 2021 at 9:00 a.m., unless otherwise announced.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

### PRELIMINARY STAFF CONDITIONS:

### **Current Planning**

If approved:

- Resolution of Intent to complete in 4 years;
- Minimum 5 foot setback for residential units and garages from drive aisles;
- In the townhome development, provide a minimum of 2 pedestrian access points on Warbonnet Way, 3 pedestrian access points to Agate Avenue west of Miller Lane, and 2 pedestrian access points to Agate Avenue east of Miller Lane;
- 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 a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

#### **Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet to 60 feet for Warbonnet Way, 30 feet to 60 feet for Agate Avenue, 60 feet for Miller Lane, and associated spandrels;
- Clark County Fire Prevention of street widths and radii.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

### **Building Department - Fire Prevention**

• No comment.

## **Clark County Water Reclamation District (CCWRD)**

• Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email <u>sewerlocation@cleanwaterteam.com</u> and reference POC Tracking #0151-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

## TAB/CAC: APPROVALS: 1 card PROTESTS: 7 cards, 1 letter

**PLANNING COMMISSION ACTION:** January 19, 2021 – HELD – To 02/02/21 – per Commissioner Nguyen.

**APPLICANT:** D.R. HORTON **CONTACT:** VTN-NEVADA, 2727 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146