

ORDINANCE NO. 3204

AN ORDINANCE RELATED TO ZONING; RECLASSIFYING APPROXIMATELY 5.8 ± ACRES FROM R-A/R-2, MEDIUM DENSITY RESIDENTIAL SUBDISTRICT, TO A PUD / PID, PLANNED UNIT DEVELOPMENT / PLANNED INFILL DEVELOPMENT DISTRICT (ZN-05-2024, OLD ROSE GARDEN) CONSISTING OF A 192-UNIT, MULTI-FAMILY HOUSING DEVELOPMENT, FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF N. 5TH STREET AND TONOPAH AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the rezoning is consistent with the Comprehensive Plan; and

WHEREAS, the Council determines that the amendment will not adversely affect the health and general welfare; and,

WHEREAS, according to Paragraph B of Section 70 of Chapter 12 of Title 17 of the North Las Vegas Municipal Code, the City Council may, by ordinance, reclassify property.

NOW THEREFORE, the City Council of the City of North Las Vegas does ordain:

SECTION 1: In accordance with the provisions of Ordinance No. 3204, the following described parcel of land shall be reclassified as follows:

PUD / PID, PLANNED UNIT DEVELOPMENT / PLANNED INFILL DEVELOPMENT DISTRICT (ZN-05-2024, OLD ROSE GARDEN),

THE FOLLOWING PROPERTY DESCRIBED TO WIT:

LEGAL DECRPTION

PARCEL 1: (APN 139-22-810-041)

THAT PORTION OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 22, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY NEVADA, BEING FURTHER DESCRIBED AS:

LOT THREE (3) IN BLOCK TWO (2) OF ROSE GARDENS SUBDIVISION, A RECORDED SUBDIVISION IN THE CITY OF NORTH LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, AS SHOWN IN PLAT BOOK 15, PAGE 60, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCEL 2: (APN 139-22-810-042)

THAT PORTION OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 22, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY NEVADA, BEING FURTHER DESCRIBED AS:

LOT FOUR (4) IN BLOCK TWO (2) OF ROSE GARDENS SUBDIVISION, A RECORDED SUBDIVISION IN THE CITY OF NORTH LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, AS SHOWN IN PLAT BOOK 15, PAGE 60, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

SECTION 2: The Planned Unit Development / Planned Infill Development District (PUD/PID) herein is subject to the development standards and requirements of the North Las Vegas Municipal Code as well as the following conditions of approval:

CONDITIONS:

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. A Final Development Plan is required and shall be approved by the Planning Commission. Updated building elevations, a detailed landscape, open space and amenities plan shall be submitted with the Final Development Plan.
3. The number of units shall not exceed 192 multi-family units.
4. A minimum 257 off-street parking spaces shall be provided.
5. The minimum patio and balcony area shall be 50 square feet.
6. Appropriate mapping is required to combine the parcels. All mapping shall be in compliance with NRS Chapter 278, the *City of North Las Vegas Municipal Code*, and associated master plans in effect at the time of map approval.

Public Works:

7. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or

fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.

8. The existing 4' wide sidewalk along the perimeter streets is required to be replaced with 5' wide sidewalk to meet the current standards.
9. The applicant is required to bring the site into compliance with ADA requirements. i.e., sidewalk ramps, etc.
10. The existing street lights, along Yale and Tonopah, shall be relocated to the standard location for a 5' wide sidewalk, and street light power placed underground.
11. Approval of a drainage study is required prior to submittal of the civil improvement plans.
12. Approval of a traffic study is required prior to submittal of the civil improvement plans and the City of Las Vegas concurrence is required. Please contact Traffic Engineering at 633-2676 to request a scope.
13. The size and number of access points and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.040 and *Clark County Area Uniform Standard Drawing* number 222.1, including throat depths. Conformance may require modifications to the site.
14. The project shall take access from Yale Street and Tonopah Street and remove the existing commercial driveway on N 5th Street/Main Street and replace with vertical curb and gutter.
15. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222.1, including throat depths, and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
16. Appropriate mapping is required to combine the parcels. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code* and associated Master Plans in effect at the time of subdivision and/or parcel map approval.
17. The applicant is responsible for acquiring any easements needed to construct the project.
18. The property owner is required to grant a roadway easement for commercial driveway(s).
19. The property owner is required to grant a sidewalk easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.

20. A revocable encroachment permit for landscaping within the public right-of-way is required, if applicable.
21. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.
22. All off-site improvements must be completed prior to final inspection of the first building.

SECTION 3: NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the laws providing for equal rights of citizens or persons.

SECTION 4: SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

SECTION 5: EFFECTIVE DATE. This Ordinance shall become effective after its passage by the City Council of the City of North Las Vegas and, after such passage by the City Council, publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

SECTION 6: PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Council Members voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED AND ADOPTED THIS _____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

APPROVED:

PAMELA A. GOYNES-BROWN, MAYOR

ATTEST:

JACKIE RODGERS
CITY CLERK