

ORDINANCE NO. 3184

AN ORDINANCE RELATED TO ZONING; RECLASSIFYING APPROXIMATELY 73.03 ACRES FROM C-2, GENERAL COMMERCIAL DISTRICT AND C-3, GENERAL SERVICE COMMERCIAL DISTRICT, TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, (ZN-06-2023, RANCHO AND LAKE MEAD) FOR PROPERTY LOCATED NORTHEAST AND SOUTHEAST CORNERS OF RANCHO DRIVE AND LAKE MEAD BOULEVARD 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. 3184, the following described parcel of land shall be reclassified as follows:

The PUD, Planned Unit Development District (ZN-06-2023, Rancho and Lake Mead),

THE FOLLOWING PROPERTY DESCRIBED TO WIT:

LEGAL DESCRIPTION

Assessor's Parcel Numbers: 139-19-501-009, 139-19-502-001 and 139-19-602-001

THAT PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) AND OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 19, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF NORTH LAS VEGAS, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST (NW) CORNER OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SAID SECTION 19; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SAID SECTION 19, NORTH 89°32'59" EAST 835.29 FEET SAME LINE BEING THE CENTER LINE OF CAREY AVENUE; THENCE DEPARTING SAID CENTER LINE SOUTH 00°27'01" EAST 50.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF CAREY AVENUE, SAME BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°27'01" EAST 335.00 FEET ALONG THE WEST PROPERTY LINE OF PARCEL ONE (1) OF THE PARCEL MAP IN FILE 92, PAGE 34 OF CLARK COUNTY OFFICIAL RECORDS; THENCE NORTH 89°32'59" EAST 397.00 FEET ALONG THE SOUTH PROPERTY LINE OF PARCEL ONE (1) OF SAID PARCEL MAP RECORDED IN FILE 92, PAGE 34 OF CLARK COUNTY OFFICIAL RECORDS; THENCE SOUTH 00°27'01" EAST 708.37 FEET ALONG THE WEST PROPERTY LINE OF PARCEL TWO (2) OF PARCEL MAP IN FILE 92, PAGE 34 OF CLARK COUNTY OFFICIAL RECORDS TO A POINT ON THE

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NORTH RIGHT OF WAY OF LAKE MEAD BOULEVARD, SAME POINT BEING ON A NON TANGENT CURVE WHERE THE RADIUS POINT BEARS SOUTH 32°26'24" WEST, HAVING A 1550.00 FEET RADIUS, CONCAVE TO THE SOUTH; THENCE CURVING TO THE LEFT ALONG SAID CURVE AN ARC LENGTH OF 1179.13 FEET THROUGH A CENTRAL ANGLE OF 43°35'12" TO A POINT OF REVERSE CURVATURE WHERE THE RADIUS POINT BEARS NORTH 11°08'48" WEST, HAVING A RADIUS OF 54.00 FEET, CONCAVE TO THE NORTH; THENCE CURVING TO THE RIGHT ALONG SAID CURVE, AN ARC LENGTH OF 60.73 FEET THROUGH A CENTRAL ANGLE OF 64°26'23" TO A POINT ON THE EAST RIGHT OF WAY LINE OF RANCHO DRIVE; THENCE ALONG SAID EAST RIGHT OF WAY NORTH 36°42'25" WEST 885.37 FEET TO A POINT OF TANGENCY OF A 54.00 FEET RADIUS, CONCAVE TO THE EAST; THENCE CURVING RIGHT ALONG SAID CURVE AN ARC LENGTH OF 118.89 FEET THROUGH A CENTRAL ANGLE OF 126°08'36" TO A POINT ON THE SOUTH RIGHT OF WAY OF CAREY AVENUE; THENCE ALONG SAID RIGHT OF WAY NORTH 89°26'11" EAST 432.51 FEET; THENCE NORTH 89°32'59" EAST 833.61 FEET TO THE POINT OF BEGINNING.

(THE ABOVE METES AND BOUNDS LEGAL DESCRIPTION PREVIOUSLY APPEARED IN THAT CERTAIN DEED RECORDED JUNE 17, 2011, AS DOCUMENT NO. 20110617-0002592, OF OFFICIAL RECORDS.)

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF NORTH LAS VEGAS BY GRANT DEED RECORDED FEBRUARY 26, 2004 IN BOOK 20040226 AS DOCUMENT NO. 01463 OF OFFICIAL RECORDS.

AND

LOT TWO (2) AS SHOWN IN FILE 66 OF PARCEL MAPS, PAGE 11, RECORDED AUGUST 28, 1990 IN BOOK 900828 AS INSTRUMENT NO. 00879, OFFICIAL RECORDS;

TOGETHER WITH THAT PORTION OF CORAN LANE (FORMERLY KNOWN AS EAST LAKE MEAD BOULEVARD) AS DESCRIBED IN ORDER OF VACATION DATED DECEMBER 15, 1999 BY THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, RECORDED FEBRUARY 7, 2000 IN BOOK 20000207 AS INSTRUMENT NO. 00411, OFFICIAL RECORDS, WHICH WOULD PASS BY OPERATION OF LAW.

EXCEPTING THEREFROM THAT PORTION OF SAID LOT TWO (2) LYING NORTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF LAKE MEAD BOULEVARD (100 FEET WIDE) REALIGNMENT AND ANY PORTION OF SAID LAND LYING WITHIN ANY PUBLIC ROADS AS CONVEYED IN THAT GRANT DEED RECORDED JANUARY 25, 1991 IN BOOK 910125 AS INSTRUMENT NO. 00903, OFFICIAL RECORDS.

FURTHER EXCEPTING THEREFROM THAT PORTION DEEDED TO THE CITY OF NORTH LAS VEGAS BY DEEDS RECORDED MAY 10, 2000 IN BOOK 20000510 AS INSTRUMENT NOS 01793 AND 01794 AND THEREAFTER RE-RECORDED SEPTEMBER 10, 2007 IN BOOK 20070910 AS INSTRUMENT NOS. 01050 AND 01051, OFFICIAL RECORDS.

FURTHER EXCEPTING THEREFROM THAT PORTION AS DEDICATED FOR RIGHT OF WAY TO THE CITY OF NORTH LAS VEGAS BY QUITCLAIM DEED RECORDED NOVEMBER 8, 2007 IN BOOK 20071108 AS INSTRUMENT NO. 01378, OFFICIAL RECORDS.

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FURTHER EXCEPTING THEREFROM THAT PORTION AS DEDICATED FOR RIGHT OF WAY TO THE CITY OF NORTH LAS VEGAS BY QUITCLAIM DEED RECORDED NOVEMBER 8, 2007 IN BOOK 20071108 AS INSTRUMENT NO. 01379, OFFICIAL RECORDS.

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

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 for each phase of development is required and shall be approved by the Planning Commission.
3. Prior to submitting the first Final Development Plan, the applicant shall provide an updated Preliminary Development Plan that identifies the Pedestrian Priority Areas and pedestrian connectivity for Sites A & B and Sites C & D for administrative review and approval.
4. The architectural theme for the entire commercial portion of the site will be established with the first phase of commercial development. Consequently, the associated Final Development Plan shall include all of the necessary details for that review.
5. For the commercial/mixed-use areas of the development (Sites A, B, and C) the C-2, General Commercial District for permitted, conditional, and special uses shall apply with the following uses identified as principally permitted:
 - Three (3) Beer-Wine-Spirit Based Products "On Sale" liquor licenses
 - Three (3) Full "On Sale" liquor licenses
 - One (1) Restricted Gaming "On Sale" liquor license
 - Tourism: One (1) Hotel or Motel
 - Indoor Recreation and Entertainment:
 - One (1) Ice Skating Facility (containing two Ice Skating Rinks)
 - One (1) Indoor Recreation Center
 - Outdoor Recreation and Entertainment:
 - One (1) Outdoor Recreational Use Facility that may include Retail Sales Establishments
 - One (1) Convenience Food Store (with or without gas pumps)
 - One (1) Vehicle Washing Establishment
 - One (1) Child Care Center
 - Public Institutions: One (1) Vocational School

6. For the residential component(s) within the commercial/mixed-use areas of the development (Sites A, B, and C) R-3, Multi-Family Residential District standards shall apply. Multi-family open space shall be provided in accordance with *City of North Las Vegas Municipal Code* section 17.24.020.C.2.c.
7. The total number of residential dwelling units shall not exceed 665.
8. Appropriate mapping is required to complete this project. 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.
9. The applicant shall coordinate with the Clark County Department of Aviation and is subject to *City of North Las Vegas Municipal Code* section 17.16.050.K. *Airport Protection Height Limits*.

Public Works:

10. 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.
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. A queuing analysis may be required. The traffic study shall analyze and determine the type of traffic control necessary along Lake Mead Boulevard subject to City approval. All Lake Mead Boulevard and Carey Avenue driveways and access points shall provide right turn bays.
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; Conformance may require modifications to the site.
14. The project shall provide a bus turnout and loading pad and shelters on Lake Mead Boulevard east of Ranch Drive and on Carey Avenue east of Rancho Drive in accordance with Uniform Standard Drawing 234.1 and 234.2. The project may be required to provide additional bus turnouts and loading pads and shelters on Lake Mead Boulevard east of proposed project driveways.

15. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
16. The property owner is required to grant a roadway easement for commercial driveway(s) and where public and private streets intersect.
17. 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.
18. A revocable encroachment permit for landscaping within the public right-of-way is required, if applicable.
19. 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.

For Residential only:

20. Proposed residential driveway slopes shall not exceed twelve percent (12%).
21. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
22. All common elements shall be labeled and are to be maintained by the Home Owners Association.
23. This development must comply with the City of North Las Vegas *Private Streets Policy for Residential Development*, including the guest parking requirements. No street parking will be allowed within the sight visibility zone of any intersection. Parallel parking spaces shall be 9 feet by 20 feet per Title 17 of the City's municipal code. Revisions to the site plan may be necessary.

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.

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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 _____, 2023.

AYES:

NAYS:

ABSENT:

APPROVED:

PAMELA A. GOYNES-BROWN, MAYOR

ATTEST:

JACKIE RODGERS
CITY CLERK