

## **ORDINANCE NO. 3113**

AN ORDINANCE RELATED TO ZONING; RECLASSIFYING APPROXIMATELY 7.48 ± ACRES FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT AND C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, (ZN-03-2022, NORTH 5<sup>TH</sup> AND AZURE) CONSISTING OF 108-UNIT MULTI-FAMILY DEVELOPMENT, FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF NORTH 5<sup>TH</sup> STREET AND AZURE 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. 3113, the following described parcel of land shall be reclassified as follows:

THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT AND C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-03-2022), THE FOLLOWING PROPERTY DESCRIBED TO WIT:

### **LEGAL DECRIPTION**

**APN: 124-27-504-002**

THE NORTH HALF (N ½) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D. B. & M., CLARK COUNTY, NEVADA.  
EXCEPTING THEREFROM THE NORTHERLY THIRTY (30) FEET, THE EASTERLY SEVENTY-FIVE (75) FEET THAT CERTAIN SPANDREL AREA LOCATED IN THE NORTHEAST CORNER THEREOF AS DEDICATED FOR ROAD PURPOSES BY DEED RECORDED AUGUST 10, 2006 IN BOOK 20060810 AS INSTRUMENT NO. 01178, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA.

**APN: 124-27-504-004**

THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.B. & M., CLARK COUNTY, NEVADA.  
EXCEPTING THEREFROM THE EASTERLY TEN (10) FEET.  
FURTHER EXCEPTING THEREFROM THE WESTERLY THIRTY (30) FEET, THE SOUTHERLY THIRTY (30) FEET AND THAT CERTAIN SPANDREL AREA LOCATED IN THE SOUTHWEST CORNER THEREOF AS DEDICATED FOR ROAD PURPOSES BY DEED RECORDED MAY 03, 1977 AS INSTRUMENT NO. 693578, AND DEED RECORDED JUNE 28, 1982 AS INSTRUMENT 1545334, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA.  
FURTHER EXCEPTING THEREFROM ANY MOBILE HOME LOCATED THEREON.

**APN: 124-27-504-006**

THE EASTERLY TEN (10) FEET OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST

QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.B. & M., CLARK COUNTY, NEVADA.

EXCEPTING THEREFROM THE SOUTHERLY THIRTY (30) FEET THEREOF AS DEDICATED FOR ROAD PURPOSES BY DEED RECORDED MAY 3, 1977 AS DOCUMENT NO. 693578 AND DEED RECORDED JUNE 28, 1982 AS INSTRUMENT NO. 1545334, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA.

**APN: 127-27-504-008**

THAT PORTION OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS: LOT TWO-ONE (2-1), AS SHOWN BY MAP THEREOF ON FILE IN FILE 101 OF PARCEL MAPS, PAGE 54, IN THE OFFICE OF THE COUNTY RECORDER OF SAID CLARK COUNTY, NEVADA.

**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:

**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 for the 108-unit multi-family residential is required.
3. The building separation of ten (10) feet is permitted for the dwelling units.
4. The setbacks for the multi-family dwelling units are as follows:
  - Front setback fifteen (15) feet
  - Interior Side setback zero (0) feet
  - Corner Side setback ten (10) feet
  - Rear setback ten (10) feet
5. The following amenities shall be provided within the open space areas: age appropriate playground equipment with EPDM surfacing; turfed open play areas; shaded picnic areas; and dog stations.

***Public Works:***

6. 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.

7. Approval of a drainage study is required prior to submittal of the civil improvement plans. Conformance may require modifications to the site plan.
8. 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.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope.
10. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.1.
11. Proposed residential driveway slopes shall not exceed twelve percent (12%).
12. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
13. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
  - a. Regena Ave.
  - b. Azure Ave
  - c. N. 5<sup>th</sup> Street
14. Azure Avenue shall be designed and constructed per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 205.
15. Regena Avenue shall be designed and constructed per the *City of North Las Vegas Modified 60' Standard Street Section with Offset Sidewalk*.
16. All off-site improvements must be completed prior to final inspection of the first building.
17. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
18. As depicted on the site plan, the applicant is proposing to vacate thirty (30) feet of right-of-way along a portion of the western boundary. Incidentally, the owner must apply for the subject vacation. Should the Order of Vacation not record within two years from the approval date, the vacation shall be deemed null and void and the Preliminary Development Plan will need to be redesigned.
19. The vacation shall record concurrently with the associated final map that is required for the development.
20. The property owner is required to grant a roadway easements for commercial driveways.

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.

**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:

ABSTAIN:

ABSENT:

APPROVED:

\_\_\_\_\_  
JOHN J. LEE, MAYOR

ATTEST:

\_\_\_\_\_  
JACKIE RODGERS  
CITY CLERK