

ORDINANCE NO. 3075

AN ORDINANCE RELATED TO ZONING; AMENDING AND REPLACING ORDINANCE NO. 2011; AN EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-07-2021, NIGHTINGALE), BY ALLOWING A 140-LOT SINGLE-FAMILY SUBDIVISION; A 246-UNIT MULTI-FAMILY DEVELOPMENT ON 38.65 ACRES AND A 3.15 ACRE COMMERCIAL DEVELOPMENT CONTAINING A PHARMACY LOCATED ON THE NORTHEAST CORNER OF LOSEE ROAD AND TROPICAL PARKWAY 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. 3075 the following described parcel of land shall be reclassified as follows:

AMENDING AND REPLACING AN EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ORDINANCE NO. 2011) TO ALLOW A LAND USE MODIFICATION (ZN-07-2021), THE FOLLOWING PROPERTY DESCRIBED TO WIT:

APN: 124-25-201-001 AND 003

Exhibit 'A'

Explanation: This legal description the boundary for the "Tropical Losee" Project.

Legal Description

Being the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 25, Township 19 South, Range 61 East, M.D.M., City of North Las Vegas, Clark County, Nevada.

Excepting therefrom that certain parcel of land as described in deed to Clark County recorded May 7, 1979 in Book 1052, Instrument Number 1011605 in the Office of the Clark County, Nevada Recorders.

Also Excepting therefrom that certain parcel of land as described in a Final Order of Condemnation recorded November 25, 2014 in Book 20141125, Instrument Number 00771 in the Office of the Clark County, Nevada Recorders.

Said parcel contains 41.8 acres, more or less.

End of Legal Description.

SECTION 2: The Planned Unit Development District (PUD) District 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 the 140-lot single-family residential is required.
3. A Final Development Plan for the 246-lot multi-family residential is required.
4. A Final Development Plan for the commercial site is required.
5. The following amenities shall be provided within the open space areas: age appropriate playground equipment with EPDM surfacing; turf 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.
8. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards, and must be approved by the City of Las Vegas Central Fire Alarm Office.
9. The property owner is required to grant roadway easements where public and private streets intersect.

10. The property owner is required to grant a public pedestrian access 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.
11. The twenty-four (24) foot wide private drives shall be increased to twenty-eight (28) feet to comply with the City of North Las Vegas Private Streets Policy.
12. 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.
13. All driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Numbers 222.1 and 222.
14. A raised median shall be installed along Tropical Parkway to a point 425 feet east from the center of the Tropical Parkway and Losee Road intersection.
15. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and/or Highways* and *City of North Las Vegas Municipal Code* Section 16.24.100:
 - a. Tropical Parkway
 - b. Azure Avenue
 - c. McCarran Street
 - d. Losee Road (sidewalk, street lights)
16. The public street geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
17. 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.
18. 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. A queuing analysis may be required.

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 Councilmen 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 _____, 2021.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

JOHN J. LEE, MAYOR

ATTEST:

CATHERINE A. RAYNOR, MMC
CITY CLERK