

ORDINANCE NO. 3142

AN ORDINANCE RELATED TO ZONING; RECLASSIFYING APPROXIMATELY 4.21 ± ACRES FROM AN R-1, SINGLE-FAMILY LOW DISTRICT TO A PUD / PID, PLANNED UNIT DEVELOPMENT / PLANNED INFILL DEVELOPMENT DISTRICT (ZN-19-2022, COMMERCE & KRAFT) CONSISTING OF A 52-UNIT MULTI-FAMILY (TOWNHOME) SUBDIVISION, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF COMMERCE STREET AND KRAFT 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. 3142, the following described parcel of land shall be reclassified as follows:

THE R-1, SINGLE-FAMILY LOW DISTRICT TO PUD / PID, PLANNED UNIT DEVELOPMENT / PLANNED INFILL DEVELOPMENT DISTRICT (ZN-19-2022, COMMERCE & KRAFT) THE FOLLOWING PROPERTY DESCRIBED TO WIT:

LEGAL DECRPTION

(APN 139-03-502-002)

THE WEST HALF (W ½) OF THE NORTH HALF (N ½) OF THE SOUTH HALF (S ½) OF GOVERNMENT LOT TWO (2) IN SECTION 3, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M. EXCEPTING THEREFROM THAT PORTION DESCRIBED IN DEED TO THE CITY OF NORTH LAS VEGAS, A MUNICIPAL CORPORATION, RECORDED APRIL 14, 1987 IN BOOK 870414 AS INSTRUMENT NO. 00558, OFFICIAL RECORDS. FURTHER EXCEPTING THEREFROM THAT PORTION DESCRIBED IN DEED TO THE CITY OF NORTH LAS VEGAS, A MUNICIPAL CORPORATION, RECORDED MARCH 11, 1999 IN BOOK 990311 AS INSTRUMENT NO. 00301, OFFICIAL RECORDS. FURTHER EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO THE CITY OF NORTH LAS VEGAS, A NEVADA MUNICIPAL CORPORATION RECORDED AUGUST 31, 2016 IN BOOK 20160831 AS INSTRUMENT NO. 01573, OFFICIAL RECORDS

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. The total number of lots shall not exceed 52.
3. The perimeter landscaped area shall be 15 feet of landscaping including a five (5) foot sidewalk centered within the landscaping.
4. The Development Standards shall comply with the following requirements:
 - a. Building Setbacks:
 - i. Front: 5 feet
 - ii. Garage: 5 feet
 - iii. Side: 5 feet
 - iv. Corner side: 10 feet
 - v. Rear: 5 feet
 - vi. Rear to patio cover: 5 feet
5. The developer will provide 9 ½ foot high interior garage that is 20 feet in depth with tank less water heaters and a storage racking system for the all garages.
6. Open space areas shall contain the following amenities:
 - a. Covered seating areas in common lots “A”, “C” and “F”
 - b. Open play turf area.
 - c. Age appropriate playground equipment with EPDM surfacing in common area “C”.
 - d. Picnic tables, (2) barbeque areas, dog stations, and trash receptacles.
7. The building separation of ten (10) feet is permitted for the dwelling units
8. Applicant shall submit for an approval of a Final Development Plan (FDP).

9. Provide seven (7) bicycle parking spaces.

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. Please contact Traffic Engineering at 633-2676 to request a scope. A queuing analysis may be required.
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. Proposed residential driveway slopes shall not exceed twelve percent (12%).
15. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
16. This development must comply with the City's private street policy, 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.
- ~~17. Revise the stub street to comply with the City of North Las Vegas modified stub-street design which features a minimum 24-foot back of curb radius and a maximum length of 150 feet, as measured from the back of curb of the intersecting street to the back of curb at the furthest point of the cul-de-sac. Make the necessary corrections or use a standard cul-de-sac design.~~
18. All lots shall comply with the *City of North Las Vegas Municipal Code* section 16.20.02.B which states: "The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved." Compliance will require modifications to the current layout.

19. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
20. 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. Commerce Street (sidewalk/streetlights)
 - b. Kraft Avenue
21. The property owner is required to grant roadway easements where public and private streets intersect.
22. All common elements shall be labeled and are to be maintained by the Home Owners Association.
23. Appropriate subdivision and/or parcel mapping is required to complete this project. 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. Conformance may require modifications to the site.
24. 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 15th day of February, 2023.

AYES: Mayor Goynes-Brown, Mayor Pro Tempore Black, Council Members Barron, Cherchio, and Garcia-Anderson

NAYS: NONE

ABSENT: NONE

APPROVED:

PAMELA A. GOYNES-BROWN, MAYOR

ATTEST:

JACKIE RODGERS
CITY CLERK