

## **ORDINANCE NO. 3205**

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS, NEVADA AMENDING ORDINANCE NOS. 2711, 2267, 2746, 2757, 2891 AND 3166. AMENDING THE DEVELOPMENT AGREEMENT FOR THE VILLAGES AT TULE SPRINGS (DA-02-2024, VILLAGES AT TULE SPRINGS PARCEL1.21) BETWEEN THE CITY OF NORTH LAS VEGAS AND KBS SOR PARK HIGHLANDS LLC; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

**WHEREAS**, pursuant to Nevada Revised Statute section 278.0201, the City Council of the City of North Las Vegas enacted North Las Vegas Municipal Code section 15.56 providing for the utilization of development agreements to regulate land development within the incorporated boundaries of the City of North Las Vegas; and

**WHEREAS**, on May 20, 2015, the City of North Las Vegas adopted Ordinance No. 2711 which amended Ordinance No. 2267 regarding a certain Development Agreement by and between the City of North Las Vegas and Crescent Bay Development Services for the development that is commonly known as the Villages at Tule Springs; and

**WHEREAS**, Crescent Bay Development Services has been replaced by Owner with KBS SOR Park Highlands TRS LLC (“Master Developer”) pursuant the Development Agreement; and

**WHEREAS**, KBS SOR Park Highlands TRS LLC (“Master Developer”) has assigned the obligations and authority of “Village Developer” to DR Horton pursuant the Development Agreement; and

**WHEREAS**, the City Council, Master Developer, and Village Developer desire to amend such agreement pursuant to the terms of NRS 278.0205 and do mutually consent to an amendment pursuant to the changes herein:

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

**SECTION 1:** The Development Agreement by and between the City of North Las Vegas and KBS SOR Park Highlands TRS LLC approved and adopted pursuant to City of North Las Vegas Ordinance Nos. 2711, 2746, 2757, 2891 and 3166 shall be hereby amended as provided by the exhibit attached hereto. Attachment “A” provides a revised Village 1 Land Use Plan that shall be added to the exiting Development Agreement, Development Standards and Parks and Trails Agreement.

**SECTION 2:** The Development Agreement by and between the City of North Las Vegas and KBS SOR Park Highlands TRS LLC approved and adopted pursuant to City of North Las Vegas Ordinance Nos. 2711, 2746, 2757, 2891, and 3166 shall be hereby

amended as provided:

- The Density Cap Table shall be amended as follows:
  - Parcel 1.19 shall be reduced to 350 units
  - Parcel 1.21 shall be increased to 350 units
  - Parcel 1.22 shall be increased to 310 units
- Within Village One - A Centralized Valet Trash Service may be used in lieu of individual trash enclosures within 300 feet of every dwelling unit. If the multi-family component ever ceases operation of the trash service, trash enclosures must be added to the site as required by the Multi-family Design Standards.
- Within Village One - Up to 25% percent of the required parking spaces for the site may be fulfilled utilizing tandem parking spaces. All such tandem spaces shall use enhanced paving. Landscaped medians shall be provided at the ends of every building. The provided landscaping shall contain shrubs with a minimum height of three feet.
- Within Village One - A maximum of twelve (12) multi-family dwelling units may be permitted off of one central hallway.

**SECTION 3:** Except as otherwise provided in the Development Agreement and all other accompanying exhibits, all ordinances, resolutions, and regulations applicable to that certain property which is the subject of the Development Agreement and governing the permitted uses of that land, density and standards for design, improvements and construction are those in effect at the time the Development Agreement is approved and amended from time to time.

**SECTION 4:** NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney's Office 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 5:** 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 6:** REPEALER. All ordinances, parts of ordinances or chapters, sections or paragraphs contained in the North Las Vegas Municipal Code in conflict herewith are hereby repealed.

**SECTION 7:** 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.

PASSED AND ADOPTED THIS 15<sup>th</sup> day of May, 2024.

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

NAYS: NONE

ABSENT: NONE

APPROVED:

/s/ Pamela A. Goynes-Brown  
PAMELA A. GOYNES-BROWN, MAYOR

ATTEST:

/s/ Jackie Rodgers  
JACKIE RODGERS, CITY CLERK