

ORDINANCE NO. 2804

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY AMENDING AN EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ORDINANCE NOS. 1511, 1588, AND 1737), TO ALLOW AN ASSISTED LIVING CENTER CONSISTING OF 195 UNITS AND 300 BEDS (ZN-06-17, NORTH LAS VEGAS ASSISTED LIVING CENTER), FOR PROPERTY GENERALLY LOCATED AT RADIO COURT AND MARTIN LUTHER KING 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. 2804 the following described parcel of land shall be reclassified as follows:

PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-06-17), THE FOLLOWING PROPERTY DESCRIBED TO WIT:

All that certain real property situated in the County of Clark, State of Nevada, described as follows:

Lot One (1) as shown by Final Map of Martin Luther King Business Park, on file in Book 104 of Plats, page 49, in the Office of the County Recorder, Clark County, Nevada.

EXCEPTING THEREFROM that portion as conveyed by Grant, Bargain, Sale Deed recorded January 29, 2003 in Book 20030129 as Instrument No. 02228, Official Records.

More particularly described as follows:

A portion of Lot one (1) as shown by Final Map of Martin Luther King Business Park, on file in Book 104 of Plats, page 49, in the Office of the County Recorder, Clark County, Nevada, situated in Southeast Quarter of the Northwest Quarter of Section 16, Township 20 South, Range 61 East, Mount Diablo Meridian, Clark County, Nevada:

COMMENCING at a Aluminum Cap at the Center Quarter corner of said Section 16, from which a 2" Aluminum Cap at the Center-North One Sixteenth corner bears N00° 40' 46" W (an assumed bearing) at a distance of 1,335.86 feet;

Thence S89° 28' 19"W, along the south line of the Southeast Quarter of the Northwest Quarter of said Section 16, for a distance of 50.00 feet to a point on the west line of the Martin Luther King Boulevard Right-of-Way, said point being the POINT OF BEGINNING;

Thence continuing S89° 28' 19"W, along said south line and the south line of said Lot one (1), for a distance of 949.34 feet to the Southwest corner of said Lot one (1);

Thence N00° 56' 50"W, along the west line of said Lot one (1) for a distance of 146.24 feet to the southwest corner of that parcel described in Book 20030129 as Instrument No. 02228, Official Records;

Thence N89° 39' 34"E, along the south line of said parcel, for a distance of 377.30 feet to the southeast corner of said parcel;

Thence N00° 51' 59"W, along the east line of said parcel, for a distance of 102.39 feet;

Thence N89° 28' 19"E, along the south line of said parcel, for a distance of 70.34 feet to a point on south line of the Radio Court Right-of-Way, said point being on a non-tangent curve, concave to the northeast, the center of which bears N76° 58' 30"E at a distance of 55.50 feet;

Thence southeasterly, along the arc of said curve, through a central angle of 125° 25' 26", for a distance of 121.49 feet to the beginning of a reverse curve, concave to the southeast, the center of which bears S48° 26' 56"E at a distance of 40.00 feet;

Thence northeasterly, along said south line and the arc of said curve, through a central angle of 47° 55' 15", for a distance of 33.46 feet;

Thence N89° 28' 19"E, tangent to said curve, for a distance of 352.76 feet to the beginning of a curve, concave to the southwest, the center of which bears S00° 31' 41"E at a distance of 25.00 feet;

Thence southeasterly, along the arc of said curve, through a central angle of 89° 50' 55", for a distance of 39.20 feet;

Thence S00° 40' 46"E, tangent to said curve, a distance of 210.47 feet to the POINT OF BEGINNING;

Together with the following described north property;

A portion of Lot one (1) as shown by Final Map of Martin Luther King Business Park, on file in Book 104 of Plats, page 49, in the Office of the County Recorder, Clark County, Nevada, situated in Southeast Quarter of the Northwest Quarter of Section 16, Township 20 South, Range 61 East, Mount Diablo Meridian, Clark County, Nevada:

COMMENCING at a Aluminum Cap at the Center Quarter corner of said Section 16, from which a 2" Aluminum Cap at the Center-North One Sixteenth corner bears N00° 40' 46" W (an assumed bearing) at a distance of 1,335.86 feet;

Thence N00° 40'46"W, along the east line of the Southeast Quarter of the Northwest Quarter of said Section 16, for a distance of 283.40 feet;

Thence S89° 28'19"W for a distance of 75.07 feet to a point on the north line of Radio Court Right-of-Way, said point being the POINT OF BEGINNING;

Thence continuing S89° 28' 19"W, along said north line, for a distance of 352.50 feet to the beginning of a curve, concave to the northeast, the center of which bears N00° 31' 41"W at a distance of 40.00 feet;

Thence northwesterly, along said north line and the arc of said curve, through a central angle of 47° 55' 15", for a distance of 33.46 feet to the beginning of a reverse curve, concave to the south, the center of which bears S47° 23' 34"W at a distance of 55.50 feet;

Thence westerly, along said north line and the arc of said curve, through a central angle of 113° 26' 33", for a distance of 109.89 feet to the north line of that parcel described in Book 20030129 as Instrument No. 02228, Official Records;

Thence S89° 28' 19"W, along said north line, for a distance of 74.23 feet;

Thence N00° 51' 45"W, along the east line of said parcel, for a distance of 237.63 feet to the northeast corner of said parcel;

Thence N89° 39' 33"E, along the north line of Lot one (1) as shown by Final Map of Martin Luther King Business Park, for a distance of 573.96 feet to a point on the west line of the Martin Luther King Boulevard Right-of-Way;

Thence S00° 40' 46"E, along said west line, for a distance of 209.68 feet to the beginning of a curve, concave to the northwest, the center of which bears S89° 19' 14"W at a distance of 25.00 feet;

Thence southwesterly, along said west line and the arc of said curve, through a central angle of 90° 09' 05", for a distance of 39.34 feet to the POINT OF BEGINNING.

An area containing 320,946 square feet or 7.3679 acres, more or less.

SECTION 2: The Planned Unit Development (PUD) District herein is subject to the following development standards and requirements in addition to all requirements of the North Las Vegas Municipal Code:

Planning and Zoning:

1. Unless expressly, authorized through a variance, waiver, or another method, development shall comply with all applicable codes and ordinances.
2. Development of the site, including building and parking lot setbacks shall conform to the preliminary development plan dated October 27, 2016.
3. Building elevations shall conform to the conceptual building elevations dated December 27, 2016.
4. A detailed landscape and amenities plan shall be submitted with the Final Development Plan.

Public Works:

5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
7. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222.1 and 225, with minimum widths of 28 feet as measured from lip of gutter to lip of gutter

8. 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.
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. The property owner is required to grant a roadway easement for commercial driveway(s).
11. The applicant is responsible for acquiring any easements needed to construct the project.

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 15th day of March, 2017.

AYES: Mayor Lee, Mayor Pro Tempore Barron, Council Members Wood, Goynes-Brown, and Cherchio

NAYS: None

ABSENT: None

APPROVED:



JOHN J. LEE, MAYOR

ATTEST:



CATHERINE A. RAYNOR, MMC
CITY CLERK