

ORDINANCE NO. 2936

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS, NEVADA AMENDING ORDINANCE NOS. 2711, 2267, 2746, 2757 AND 2891; AMENDING THE DEVELOPMENT AGREEMENT (DA-03-18) FOR THE VILLAGES AT TULE SPRINGS 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 Number 2711 which amended Ordinance Number 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WHEREAS, Crescent Bay Development Services has been replaced by Owner with KBS SOR Park Highlands TRS LLC ("Master Developer") pursuant the Development Agreement; and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, the City Council and Master 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 Crescent Bay Development Services approved and adopted pursuant to City of North Las Vegas Ordinance Nos. 2711, 2746, and 2757 shall be hereby amended as provided by the exhibit attached hereto. Attachment "A" provides a revised Land Use Plan that shall be added to the existing Development Agreement.

SECTION 2: 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 3: 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 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: 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 6: 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 5TH DAY OF DECEMBER 2018.

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

NAYS: None

ABSTAIN: None

ABSENT: None

APPROVED:



JOHN J. LEE, MAYOR

ATTEST:



CATHERINE A. RAYNOR, MMC, CITY CLERK