

RESOLUTION NO. 4403
(ZCA-2020005699 – Henderson West (Additional Parcel))

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, EXPRESSING THE INTENT TO REZONE CERTAIN PROPERTY WITHIN THE CITY LIMITS OF THE CITY, DESCRIBED AS A PORTION OF SECTION 4, TOWNSHIP 23 SOUTH, RANGE 61 EAST, M.D.B. & M., CLARK COUNTY, NEVADA, LOCATED ON THE SOUTH SIDE OF ST. ROSE PARKWAY, NORTHEAST OF BRUNER AVENUE ON 0.05 ACRES IN THE WEST HENDERSON PLANNING AREA, TO APPLY CITY OF HENDERSON MR (REGIONAL MIXED USE) ZONING DESIGNATION TO PROPERTY WITH NO ESTABLISHED ZONING.

WHEREAS, City of Henderson has made application to have 0.05 acres of certain land in the City of Henderson, Clark County, Nevada, rezoned to apply City of Henderson MR (Regional Mixed Use) zoning designation to property with no established zoning and

WHEREAS, all notices have been given pursuant to law and a Public Hearing was held thereon; and

WHEREAS, the matter of rezoning was forwarded to the City Council by the Henderson Planning Commission with a recommendation for approval; and

WHEREAS, the City Council finds that all of the following criteria have been met:

- a. The proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact.
- b. The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of Section 19.1.4.
- c. The proposed amendment will protect the health, safety, morals, or general welfare of the public.
- d. The City and other service providers will be able to provide sufficient public safety, transportation and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development.
- e. The proposed rezoning will not have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation.
- f. The proposed amendment will not have significant adverse impacts on other property in the vicinity of the subject tract.
- g. The subject property is suitable for the proposed zoning classification.
- h. There is a need for the proposed use at this proposed location.

WHEREAS, the City Council finds that upon the performance of certain conditions, the rezoning of the Land is in the best interests of the community at large and in keeping with the policy set forth in the Zoning Ordinance of the City of Henderson; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Henderson, Nevada, will rezone the land as depicted in Exhibit A attached hereto, consisting of one page, and as more particularly described as follows:

That portion of the North Half (N ½) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 4, Township 23 South, Range 61 East, M.D.M., Clark County, Nevada, lying Southeasterly of the Southeasterly Right-of-Way Line of St. Rose Parkway as it presently exists.

Except that portion dedicated to the City of Henderson by dedication deed recorded August 13, 2015, as Document No. 20150813-0001095 with the Clark County Recorder and except that portion dedicated to Clark County by dedication deed recorded August 3, 2015, as Document No. 20150803-0001462 with the Clark County Recorder;

Containing 0.05 acre, more or less, to apply City of Henderson MR (Regional Mixed Use) zoning designation to property with no established zoning, upon compliance with the following conditions:

COMMUNITY DEVELOPMENT PLANNING SERVICES CONDITIONS

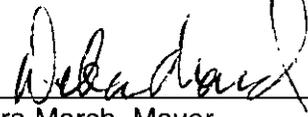
1. Approval of this application requires the applicant to comply with all Code requirements not specifically listed as a condition of approval but required by Title 19 of the Henderson Municipal Code, compliance with all plans and exhibits presented and amended as part of the final approval, and compliance with all additional items required to fulfill conditions of approval.
2. This resolution of intent shall lapse on December 5, 2022.
3. Community Development will approve this zoning by ordinance once and if the negotiated Development Agreement (DEV-2017880953) is executed and recorded.
4. If this resolution of intent expires, Community Development will initiate a Comprehensive Plan Amendment to revert the land use of the site to its previous NT4 designation.

Failure to perform any of those conditions within the time frame allotted in the condition or, if no time frame is allotted, within two (2) years of the date of City Council approval of this resolution of intent shall void and nullify this resolution of intent for the proposed zone change.

PASSED, ADOPTED, AND APPROVED THIS 1ST DAY OF SEPTEMBER, 2020, BY THE FOLLOWING ROLL-CALL VOTE OF COUNCIL.

Those voting aye:
Debra March, Mayor
Councilmembers:
John F. Marz
Michelle Romero
Dan K. Shaw
Dan H. Stewart

Those voting nay: None
Those abstaining: None
Those absent: None



Debra March, Mayor

ATTEST:



Sabrina Mercadante, MMC, City Clerk

EXHIBIT A
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