

RESOLUTION NO. 4414
(ZCA-2020005841 – Lennar UPRR)

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 34, TOWNSHIP 22 SOUTH, RANGE 63 EAST, M.D.B. & M., CLARK COUNTY, NEVADA, GENERALLY LOCATED NORTHEAST OF THE UNION PACIFIC RAILROAD AND NEVADA STATE DRIVE ON 23.1 ACRES IN THE MISSION HILLS PLANNING AREA, FROM RH-36 (HIGH-DENSITY RESIDENTIAL) TO RM-16 (MEDIUM-DENSITY RESIDENTIAL).

- WHEREAS, Lennar Communities has made application to have 23.1 acres of certain land in the City of Henderson, Clark County, Nevada, rezoned from RH-36 (High-Density Residential) to RM-16 (Medium-Density Residential); 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:

LOT 1 OF THE PLAT KNOWN AS "PICERNE @ NEVADA STATE DRIVE" A COMMERCIAL SUBDIVISION, ON FILE IN THE CLARK COUNTY, NEVADA, RECORDER'S OFFICE IN BOOK 138, PAGE 06 OF PLATS, TOGETHER WITH A PORTION OF NEVADA STATE DRIVE RIGHT-OF-WAY AS VACATED PER DOCUMENT ON FILE IN SAID COUNTY RECORDER'S OFFICE IN BOOK 20071220 AS INSTRUMENT NO. 01929 OF OFFICIAL RECORDS, SITUATE IN SECTION 34, TOWNSHIP 22 SOUTH, RANGE 63 EAST, M.D.M., CITY OF HENDERSON, CLARK COUNTY, NEVADA.

Containing 23.1 acres, more or less, from RH-36 (High-Density Residential) to RM-16 (Medium-Density Residential), upon compliance with the following conditions:

PUBLIC WORKS CONDITION

1. The acceptance or approval of this item does not authorize or entitle the applicant to construct the project referred to in such application or to receive further development approvals, grading permits or building permits, nor does it infer approval for final lot configuration, geometry, or roadway layout.

COMMUNITY DEVELOPMENT PLANNING SERVICES CONDITIONS

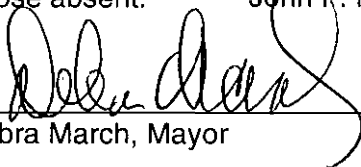
2. Approval of this application requires the applicant to comply with all Code requirements not specifically listed as a condition of approval but required by Title 19 of the Henderson Municipal Code, compliance with all plans and exhibits presented and amended as part of the final approval, and compliance with all additional items required to fulfill conditions of approval.
3. The resolution of intent shall expire one-year from the date of City Council approval unless a final map is recorded.
4. If the resolution of intent expires, Community Development and Services staff shall initiate a Comprehensive Plan Amendment to change the land use to Mixed-Use.

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 3RD DAY OF NOVEMBER, 2020, BY THE FOLLOWING ROLL-CALL VOTE OF COUNCIL.

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

Those voting nay: None
Those abstaining: None
Those absent: John F. Marz



Debra March, Mayor

ATTEST:



Sabrina Mercadante, MMC, City Clerk

EXHIBIT A
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