

ORDINANCE NO. 3981
(ZCA-2007660024-A1 – Cadence Master Plan (aka Landwell 2200))

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, AMENDING ORDINANCE NO. 2870, THE ZONING MAP, TO RECLASSIFY CERTAIN REAL PROPERTY WITHIN THE CITY LIMITS OF THE CITY, DESCRIBED AS A PORTION OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 63 EAST, M.D. & M., CLARK COUNTY, NEVADA, ON 42.3 ACRES LOCATED AT THE SOUTHEAST CORNER OF E. WARM SPRINGS ROAD AND N. BOULDER HIGHWAY, IN THE EASTSIDE REDEVELOPMENT AND CADENCE PLANNING AREAS, TO REZONE FROM PC-G-RD (PLANNED COMMUNITY WITH GAMING ENTERPRISE AND REDEVELOPMENT OVERLAYS) TO PC-RD (PLANNED COMMUNITY WITH REDEVELOPMENT OVERLAY) TO REMOVE THE GAMING ENTERPRISE OVERLAY.

WHEREAS, the City Council of the City of Henderson, Nevada, on August 1, 2023, committed to the rezoning of certain real property totaling 42.3 acres, more or less, located in a portion of Section 7, Township 22 South, Range 63 East, located at the southeast corner of E. Warm Springs Road and N. Boulder Highway, from PC-G-RD (Planned Community with Gaming Enterprise and Redevelopment Overlays) to PC-RD (Planned Community with Redevelopment Overlay) to remove the Gaming Enterprise Overlay on an approximately 42.3-acre portion of a 2200-acre master plan; and

WHEREAS, LandWell Company, LP, has made application for a zone change; and

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

FINDINGS OF FACT

- A. The proposal is consistent with the Comprehensive Plan.
- B. The planned development addresses a unique situation, confers a substantial benefit to the City, or incorporates creative site design such that it achieves the purposes of this Code and represents an improvement in quality over what could have been accomplished through strict application of the otherwise applicable district or development standards. Such improvements in quality may include, but are not limited to: improvements in common open space provision and access; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; or increased choice of living and housing environments.
- C. The planned development complies with the applicable standards of HMC Section 19.8.5, Master Plan Development Overlay District.
- D. Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property, while maintaining sufficient levels of service to existing development.
- E. The same development could not be accomplished through the use of other techniques, such as variances or administrative adjustments.

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. Ordinance No. 2870 of the City of Henderson, Nevada, entitled "Zoning Map adopted" is hereby amended as follows:

The Zoning Map, adopted by reference as an integral part of the title that outlines and defines the various zoning districts that are described in detail and that indicate which land uses are permitted and which are prohibited, shall be amended to reclassify certain real property within the City limits of the City of Henderson, Nevada, as more particularly described below and as depicted in Exhibit A attached hereto, consisting of one (1) page:

A PORTION OF THE WEST HALF (W 1/2) OF THE WEST HALF (W 1/2) OF SECTION 7, TOWNSHIP 22 SOUTH, RANGE 63 EAST, M.D.M., CITY OF HENDERSON, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 7, MARKED BY A GLO BRASS CAP DATED 1931;

THENCE NORTH 00°05'34" WEST, ALONG THE WEST LINE OF SAID WEST HALF (W 1/2) OF SECTION 7, A DISTANCE OF 141.44 FEET;

THENCE NORTH 00°13'38" EAST, 550.26 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY OF BOULDER HIGHWAY;

THENCE SOUTH 42°44'09" EAST, DEPARTING SAID WEST LINE AND ALONG SAID RIGHT-OF-WAY, 28.04 FEET TO THE CENTERLINE OF WARM SPRINGS ROAD, SAME BEING THE POINT OF BEGINNING;

THENCE NORTH 76°48'45" EAST, DEPARTING SAID RIGHT-OF-WAY AND ALONG SAID CENTERLINE, 200.98 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1800.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 20°48'04", AN ARC LENGTH OF 653.49 FEET;

THENCE SOUTH 36°28'07" EAST, DEPARTING SAID CENTERLINE, 105.98 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1512.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°56'23", AN ARC LENGTH OF 235.91 FEET;

THENCE SOUTH 45°24'30" EAST, 77.12 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 2500.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 10°35'11", AN ARC LENGTH OF 461.92 FEET;

THENCE SOUTH 55°59'41" EAST, 429.82 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1500.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 12°01'09", AN ARC LENGTH OF 314.66 FEET;

THENCE SOUTH 43°58'32" EAST, 356.02 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1185.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 54°46'52" EAST;

THENCE ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 10°26'41", AN ARC LENGTH OF 216.02 FEET;

THENCE SOUTH 45°39'49" WEST, 323.12 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 2000.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 09°19'12", AN ARC LENGTH OF 325.33 FEET;

THENCE SOUTH 36°20'37" WEST, 125.32 FEET TO SAID NORTHWESTERLY RIGHT-OF-WAY;

THENCE NORTH 42°44'09" WEST, ALONG SAID RIGHT-OF-WAY, 2366.75 FEET TO THE POINT OF BEGINNING;

Containing 42.3 acres, more or less, to rezone from PC-G-RD (Planned Community with Gaming Enterprise and Redevelopment Overlays) to PC-RD (Planned Community with Redevelopment Overlay) to remove the Gaming Enterprise Overlay on an approximately 42.3-acre portion of a 2200-acre master plan.

SECTION 2. That the above-described amendment to the zoning map is subject to 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. Applicant shall comply with all original conditions of approval for ZCA-2007660024.
3. All development and uses shall be in compliance with the Landwell 2200 Development Agreement.

SECTION 3. If any section, subsection, sentence, clause, phrase, provision or portion of this Ordinance, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Ordinance or their applicability to distinguishable situations or circumstances.

SECTION 4. All ordinances, or parts of ordinances, sections, subsections, phrases, sentences, clauses, or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.

SECTION 5. A copy of this Ordinance shall be filed with the office of the City Clerk and notice of such filing shall be published once by title in the Las Vegas Review-Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance (Initial Publication). Following adoption by the City Council, this Ordinance shall be published by title together with the names of the Council members voting for or against passage (Final Publication). This Ordinance is scheduled for Final Publication on August 18, 2023, in the Las Vegas Review-Journal, at which time it will become effective.

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PASSED, ADOPTED, AND APPROVED THIS 15th DAY OF AUGUST, 2023.

Dan H. Stewart, Mayor Pro Tem

ATTEST:

Jose Luis Valdez, CMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on August 1, 2023, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on August 15, 2023, said Committee reported favorably on the Ordinance and forwarded it to the Regular Meeting with a do-pass recommendation. At the Regular Meeting of the Henderson City Council held August 15, 2023, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:

Dan H. Stewart, Mayor Pro Tem

Councilmembers:

Carrie Cox

Jim Seebock

Dan K. Shaw

Those voting nay: None

Those abstaining: None

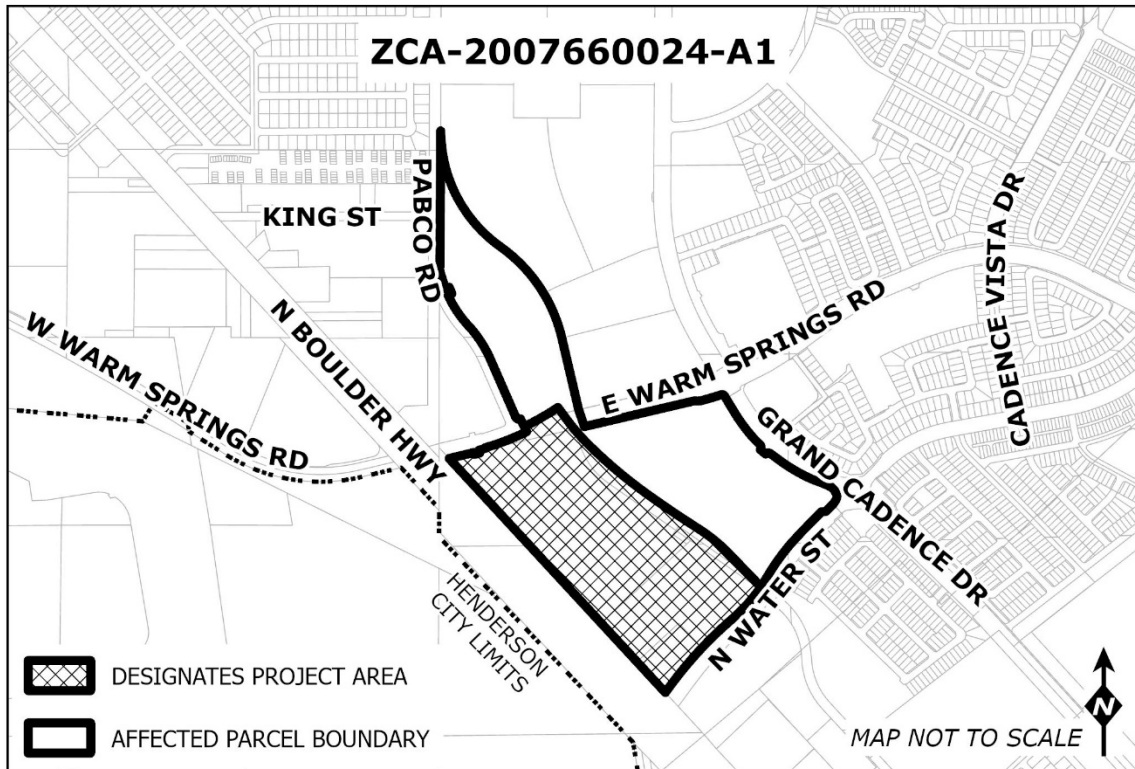
Those absent: Michelle Romero,
Mayor

Dan H. Stewart, Mayor Pro Tem

ATTEST:

Jose Luis Valdez, CMC, City Clerk

EXHIBIT A
ZCA-2007660024-A1
Cadence Master Plan (G Overlay Removal)



Editor's Note: Pursuant to City Charter Section 2.090(3), language to be omitted is red and enclosed in [brackets], and language proposed to be added is in *blue italics and underlined*.