

ORDINANCE NO. 4055  
ZCA-2024015720 – Hotel & Restaurant at Volunteer and Chaparral

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 10, TOWNSHIP 23 SOUTH, RANGE 61 EAST, M.D. & M., CLARK COUNTY, NEVADA, ON 3.6 ACRES LOCATED ON THE NORTHEAST CORNER OF VOLUNTEER BOULEVARD AND CHAPARRAL ROAD, IN THE WEST HENDERSON PLANNING AREA, FROM IG (GENERAL INDUSTRIAL) TO CC-PUD (COMMUNITY COMMERCIAL WITH PLANNED UNIT DEVELOPMENT OVERLAY).

WHEREAS, the City Council of the City of Henderson, Nevada, on January 7, 2025, committed to the rezoning of certain real property totaling 3.6 acres, more or less, located in a portion of Section 10, Township 23 South, Range 61 East, located on the northeast corner of Volunteer Boulevard and Chaparral Road from IG (General Industrial) to CC-PUD (Community Commercial with Planned Unit Development Overlay); and

WHEREAS, CRP Westport Henderson Volunteer Owner LLC has made application for a zone change; 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 HMC Section 19.1.4, Purpose and Intent.
- 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 zone change 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 property.
- G. The suitability of the subject property for the existing zoning classification and proposed zoning classification.

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 page:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA, AND IS DESCRIBED AS FOLLOWS:

THE NORTH HALF (N1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 10, TOWNSHIP 23 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.

EXCEPTING THEREFROM; ALL THAT REAL PROPERTY AS CONVEYED TO THE CITY OF HENDERSON FOR ROAD PURPOSES IN DEED RECORDED NOVEMBER 1, 2019, AS INSTRUMENT NO. 20191101 AS INSTRUMENT NO. 0000020, OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

FURTHER EXCEPTING THEREFROM ; ALL THAT REAL PROPERTY AS CONVEYED TO THE CITY OF HENDERSON FOR PUBLIC RIGHT OF WAY IN DEED RECORDED, MAY 13, 2020, IN BOOK 20200513, INSTRUMENT NO. 0001648, OF OFFICIAL RECORDS, CLARK COUNTY NEVADA.

Containing 3.6 acres, more or less, from IG (General Industrial) to CC-PUD (Community Commercial with Planned Unit Development Overlay).

SECTION 2. That the above-described amendment to the zoning map is subject to 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. Public Works Department approval is based upon review of the civil improvement plans and associated studies, not planning documents.

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.

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. Subsequent changes or revisions to any of these plans and/or exhibits are subject to an amendment to this application for approval.
3. This site is restricted to one drive-through facility.
4. The following uses are prohibited:
  - Community Food Service
  - Heliport
  - Hospital
  - Supportive Housing
  - School
  - Vocational School
  - Youth Drop-In Center
  - Processing Facility
  - Outdoor Sports, Recreation, and Entertainment
  - Teenage Dancehalls and Nightclubs
  - Daily Labor Service
  - Restaurant with Bar
  - All Marijuana Establishments (cultivation, manufacturing, testing, and dispensary)
  - Wine Lounge
  - Artisan's Beer and Wine Room Establishment
  - Brew Pub/Craft Distillery/Estate Distillery
  - Check Cashing Deferred Deposit Service, Vehicle Title Loan Facility, and High Interest Loan
  - Fleet Based Service
  - Swap Meet
  - Hookah/Smoking Lounge
  - Gaming Establishment (Nonrestricted and restricted gaming)
  - Massage and Reflexology Establishment
  - Tattoo and Body Alteration Studio
  - Convenience Store
  - Processing Facility
  - Liquor Store
  - Pawnshop
  - Smoke/Tobacco/Vape Shop
  - Tavern
  - Auto Broker

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- Vehicle Sales
- Vehicle Rental
- Equipment Sales, Services and Rental
- Car Wash – Drive-Through
- Car Wash – Full Service
- Car Wash – Self Service
- Gas Station
- Fleet Fueling Station
- Service Station
- Smog Check Station
- Vehicle Repair
- Vehicle Storage

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 January 24, 2025, in the Las Vegas Review-Journal, at which time it will become effective.

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PASSED, ADOPTED, AND APPROVED THIS 21<sup>st</sup> DAY OF JANUARY, 2025.

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Michelle Romero, Mayor

ATTEST:

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Jose Luis Valdez, CMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on January 7, 2025, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on January 21, 2025, 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 January 21, 2025, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:

Michelle Romero, Mayor  
Councilmembers:  
Monica Larson  
Jim Seebock  
Dan H. Stewart

Those voting nay: Carrie Cox  
Those abstaining: None  
Those absent: None

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Michelle Romero, Mayor

ATTEST:

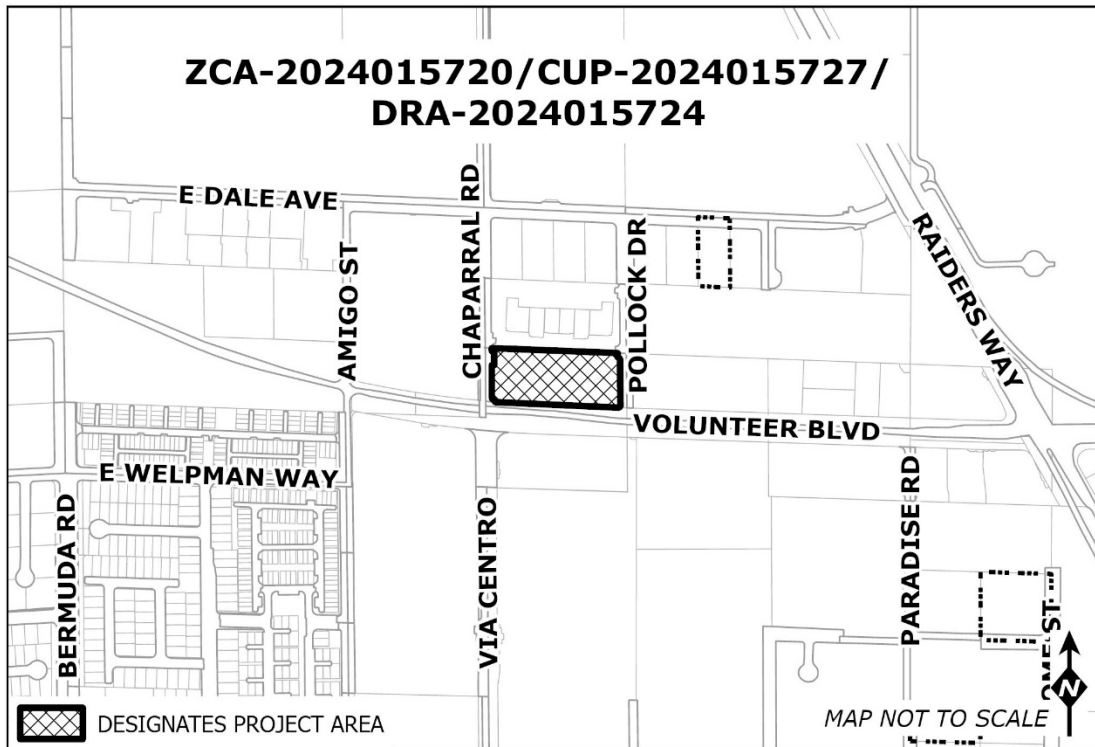
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Jose Luis Valdez, CMC, City Clerk

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**EXHIBIT A**

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