

ORDINANCE NO. 3201
(ZCA-08-660028-A1 – Ahavas Torah Center)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, AMENDING ORDINANCE NO. 2869, THE ZONING MAP, TO RECLASSIFY CERTAIN REAL PROPERTY WITHIN THE CITY LIMITS OF THE CITY, DESCRIBED AS A PORTION OF SECTION 21, TOWNSHIP 22 SOUTH, RANGE 62 EAST, M.D.B. & M., CLARK COUNTY, NEVADA, GENERALLY LOCATED SOUTH OF CRYSTAL STREAM AVENUE AND WEST OF ARROYO GRANDE BOULEVARD, IN THE GREEN VALLEY RANCH PLANNING AREA FROM RS-6-PUD (LOW-DENSITY RESIDENTIAL WITH PLANNED UNIT DEVELOPMENT OVERLAY) TO RS-6 (LOW-DENSITY RESIDENTIAL), AND MATTERS PROPERLY RELATING THERETO.

WHEREAS, the City Council of the City of Henderson, Nevada, on August 5, 2014, committed to the rezoning of certain real property totaling 1.3 acres, more or less, located in a portion of Section 21, Township 22 South, Range 62 East, generally located south of Crystal Stream Avenue and west of Arroyo Grande Boulevard, from RS-6-PUD (Low-Density Residential with Planned Unit Development Overlay) to RS-6 (Low-Density Residential); and

WHEREAS, Environmental Design Group 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 Section 19.1.5.
- 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, and there is a need for the proposed use at the proposed location; and

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

SECTION 1. Ordinance No. 2869 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:

That portion of the Northeast Quarter (NE ¼) of Section 21, Township 22 South, Range 62 East, M.D.M., City of Henderson, Clark County, Nevada, described as follows:

COMMENCING AT THE MOST SOUTHERLY CORNER OF LOT THREE (3) AS SHOWN BY MAP THEREOF ON FILE IN FILE 19, PAGE 66 OF PARCEL MAPS, CLARK COUNTY, NEVADA;

THENCE NORTH 55°44'51" EAST, 190.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 55°44'51" EAST 210.00 FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2040.00 FEET; A RADIAL LINE TO SAID POINT BEARING SOUTH 55°44'51" WEST;

THENCE NORTHWESTERLY ALONG SAID CURVE, CURVING TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 6°17'03" AN ARC DISTANCE OF 223.75 FEET TO A POINT;

THENCE SOUTH 62°01'54" WEST, 210.00 FEET TO A POINT;

THENCE SOUTH 31°06'37" EAST, 246.67 FEET TO THE TRUE POINT OF BEGINNING.

SAID LAND WAS FORMERLY DESCRIBED AS LOT FOUR (4) AS SHOWN BY MAP THEREOF ON FILE IN BOOK 19, PAGE 66 OF PARCEL MAPS, OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

containing 1.3 acres, more or less, from RS-6-PUD (Low-Density Residential with Planned Unit Development Overlay) to RS-6 (Low-Density Residential).

SECTION 2. That the above-described amendment to the zoning map is subject to the following conditions:

PUBLIC WORKS DEPARTMENT 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.

COMMUNITY DEVELOPMENT DEPARTMENT CONDITION

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.

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 Review Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance, and following approval shall be published by title (or in full if the Council by majority vote so orders) together with the names of the Councilmen voting for or against passage for at least one (1) publication before the Ordinance shall become effective. This Ordinance is scheduled for publication on August 22, 2014, in the Review Journal.

PASSED, ADOPTED, AND APPROVED THIS 19TH DAY OF AUGUST, 2014.





Andy Hafén, Mayor

ATTEST:



Sabrina Mercadante, MMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on August 5, 2014, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on August 19, 2014, 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 19, 2014, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye: Andy Hafén, Mayor
 Councilmembers:
 Sam Bateman
 Debra March
 John F. Marz

Those voting nay: None
Those abstaining: None
Those absent: Gerri Schroder





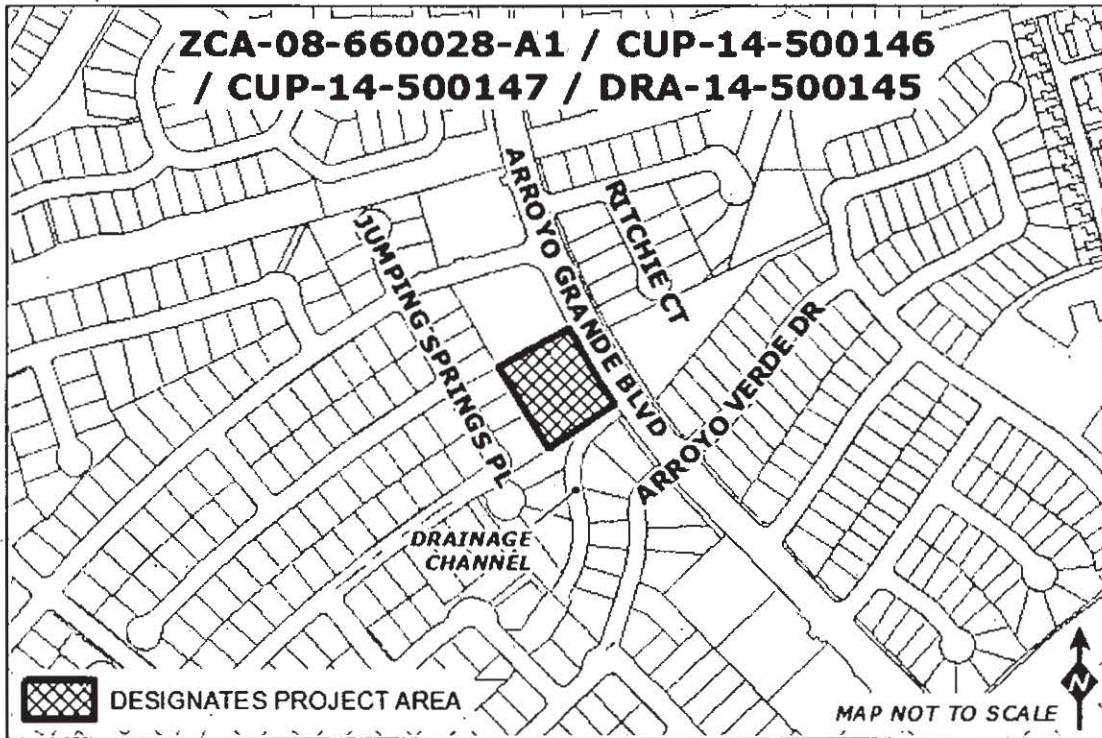
Andy Hafén, Mayor

ATTEST:



Sabrina Mercadante, MMC, City Clerk

EXHIBIT A
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Editor's Note: Pursuant to City Charter Section 2.090(3), language to be omitted is enclosed in [bold brackets], and language proposed to be added is underscored.