

ORDINANCE NO. 3219
(ZCA-13-500003-A3 – Seven Hills Hospital Expansion)

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 35, TOWNSHIP 22 SOUTH, RANGE 61 EAST, M.D.B. & M., CLARK COUNTY, NEVADA, GENERALLY LOCATED EAST OF JEFFREYS STREET AND SOUTH OF HORIZON RIDGE PARKWAY, IN THE WESTGATE PLANNING AREA, FROM CO-MP (OFFICE COMMERCIAL WITH MASTER PLAN OVERLAY) TO PS-MP (PUBLIC/SEMPUBLIC WITH MASTER PLAN OVERLAY), AND MATTERS PROPERLY RELATING THERETO.

WHEREAS, the City Council of the City of Henderson, Nevada, on September 9, 2014, committed to the rezoning of certain real property totaling 3.3 acres, more or less, located in a portion of Section 35, Township 22 South, Range 61 East, generally located east of Jeffreys Street and south of Horizon Ridge Parkway from CO-MP (Office Commercial with Master Plan Overlay) to PS-MP (Public/Semipublic with Master Plan Overlay); and

WHEREAS, Seven Hills Hospital has made application for a zone change; and

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

- 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 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 Section 19.4.4, Master Plan Development Overlay, or Section 19.4.5, Planned Unit Development Overlay.
- d. The proposal mitigates any potential significant adverse impacts to the maximum practical extent.
- e. 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.
- f. The same development could not be accomplished through the use of other techniques, such as rezonings, variances or administrative adjustments.

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:

A TRACT OF LAND BEING A PORTION OF "LOT B" AS SHOWN BY THAT CERTAIN COMMERCIAL SUBDIVISION MAP ENTITLED "SEVEN HILLS BUSINESS PARK" ON FILE IN BOOK 96 OF PLATS, PAGE 61, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA, SITUATED IN THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 35, TOWNSHIP 22 SOUTH, RANGE 61 EAST, M.D.M., CITY OF HENDERSON, CLARK COUNTY, NEVADA;

COMMENCING AT THE SOUTHEAST CORNER OF SAID "LOT B", SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED BY DEED RECORDED APRIL 25, 2003 IN BOOK 20030425: AS INSTRUMENT NO. 01796, SAID TRACT FURTHER DESCRIBED AS "LOT C-2-1" AS SHOWN BY MAP THEREOF ON FILE IN FILE 126 OF SURVEYS, PAGE 67, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA;

THENCE ALONG THE EASTERLY BOUNDARY LINE OF SAID "LOT C-2-1", NORTH 00°35'20" WEST, 192.00 FEET TO THE NORTHEAST CORNER OF SAID "LOT C-2-1", AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE ALONG THE NORTHERLY BOUNDARY LINE OF SAID "LOT C-2-1", SOUTH 89°24'40" WEST, 251.70 FEET;

THENCE LEAVING SAID NORTHERLY BOUNDARY LINE, NORTH 00°35'20" WEST, 57.26 FEET;

THENCE NORTH 48°55'36" EAST, 10.35 FEET;

THENCE NORTH 41°51'43" WEST, 17.19 FEET;

THENCE NORTH 60°28'10" WEST, 44.97 FEET;

THENCE NORTH 41°42'02" WEST, 125.74 FEET TO THE
SOUTHEASTERLY BOUNDARY LINE OF "LOT C-3" AS SHOWN BY MAP
THEREOF ON FILE IN FILE 123 OF SURVEYS, PAGE 81, OFFICIAL
RECORDS OF CLARK COUNTY, NEVADA;

THENCE ALONG SAID SOUTHEASTERLY BOUNDARY LINE, NORTH
48°17'58" EAST, 225.00 FEET TO THE MOST EASTERLY SOUTHEAST
CORNER OF SAID "LOT C-3";

THENCE ALONG THE NORTHEASTERLY BOUNDARY LINE THEREOF,
NORTH 41°42'02" WEST, 135.99 FEET TO THE BEGINNING OF A 200.00
FOOT RADIUS NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST,
TO WHICH A RADIAL LINE BEARS, NORTH 48°52'00" WEST, SAID POINT
ALSO BEING THE MOST SOUTHERLY SOUTHWEST CORNER OF THAT
CERTAIN TRACT OF LAND CONVEYED BY DEED RECORDED
SEPTEMBER 03, 2003 IN BOOK 20030903 AS INSTRUMENT NO. 04651,
SAID TRACT FURTHER DESCRIBED AS "LOT C-1" AS SHOWN BY MAP
THEREOF ON FILE IN FILE 123 OF SURVEYS, PAGE 81, OFFICIAL
RECORDS OF CLARK COUNTY, NEVADA; THENCE ALONG THE
SOUTHEASTERLY BOUNDARY LINE OF SAID "LOT C-1" THE
FOLLOWING FOUR (4) COURSES:

- (1) LEAVING SAID NORTHEASTERLY BOUNDARY LINE OF SAID LOT
"C-3", NORTHEASTERLY ALONG SAID 200.00 FOOT RADIUS
NON-TANGENT CURVE TO THE RIGHT THROUGH A CENTRAL
ANGLE OF 48°16'40" (THE LONG CHORD OF WHICH BEARS
NORTH 65°16'20" EAST, 163.58 FEET) FOR AN ARC LENGTH OF
168.52 FEET;
- (2) NORTH 89°24'40" EAST, 84.36 FEET;
- (3) NORTH 77°13'43" EAST, 24.55 FEET;
- (4) NORTH 89°24'41" EAST, 39.00 FEET TO THE SOUTHEAST
CORNER OF SAID "LOT C-1", SAID POINT BEING ON THE
EASTERLY BOUNDARY LINE OF SAID "LOT B";

THENCE ALONG SAID EASTERLY BOUNDARY LINE OF "LOT B", SOUTH
00°35'20" EAST, 516.68 FEET TO THE POINT OF BEGINNING,

containing 3.3 acres, more or less, from CO-MP (Office Commercial with Master Plan Overlay) to PS-MP (Public/Semipublic with Master Plan Overlay);

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 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. Applicant shall comply with all conditions of approval for Z/PUD-87-00.


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 October 10, 2014, in the Review Journal.

PASSED, ADOPTED, AND APPROVED THIS 7TH DAY OF OCTOBER, 2014.




Gerri Schroder, Mayor Pro Tem

ATTEST:


Sabrina Mercadante, MMC, City Clerk

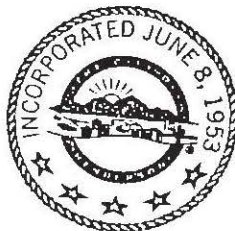
The above and foregoing Ordinance was first proposed and read in title to the City Council on September 9, 2014, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

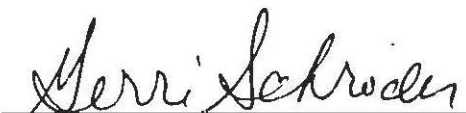
“COUNCIL AS A WHOLE”

Thereafter on October 7, 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 October 7, 2014, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye: Gerri Schroder, Mayor Pro Tem
Councilmembers:
Sam Bateman
Debra March
John F. Marz

Those voting nay: None
Those abstaining: None
Those absent: Andy Hafen, Mayor




Gerri Schroder, Mayor Pro Tem

ATTEST:


Sabrina Mercadante, MMC, City Clerk

EXHIBIT A
ZCA-13-500003-A3 – SEVEN HILLS HOSPITAL EXPANSION

