

ORDINANCE NO. 3999
(DEV-2023012046 – Inspirada Station)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, APPROVING AND ADOPTING THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE CITY OF HENDERSON AND NP INSPIRADA LLC, FOR A RESORT HOTEL WITH NONRESTRICTED GAMING ON APPROXIMATELY 49 ACRES GENERALLY LOCATED NORTHWEST OF VIA INSPIRADA AND BICENTENNIAL PARKWAY, IN THE WEST HENDERSON PLANNING AREA.

- WHEREAS, the City of Henderson, a municipal corporation and political subdivision of the State of Nevada ("City") is authorized under its Charter and the general laws of the State of Nevada to enact ordinances and enter into agreements to promote and safeguard the health, safety, and welfare of its residents; and
- WHEREAS, pursuant to Nevada Revised Statutes Chapter 278.0201 et seq., the City Council of the City of Henderson enacted Henderson Municipal Code Section 19.27 providing for the utilization of development agreements to regulate land development within the incorporated boundaries of the City of Henderson; and
- WHEREAS, the City and NP Inspirada LLC, a Nevada limited liability company ("Developer") wish to enter into the attached Development Agreement, providing for the development of the property described therein (the "Property") in accordance with the above-described statute; and
- WHEREAS, the Property is subject to the Inspirada Town Center Master Plan and Design Guidelines, dated June 29, 2018, pursuant to application ZCA-2018-000276 and adopted as Ordinance No. 3489 (as amended, the "ITC Master Plan"), and the ITC Master Plan contains the design and development guidelines applicable to the Property except as otherwise modified by the Development Agreement or the Approvals, as amended from time-to-time; and
- WHEREAS, Developer has submitted the necessary plans to the City for the development of a destination, urban resort hotel with gaming (the "Project") on the Property; and
- WHEREAS, the City Council of the City, having given notice as required by applicable laws and regulations, held a public hearing on Developer's request seeking approval of the Development Agreement; and

WHEREAS, the City has determined that the Development Agreement is consistent with the City's plans, policies, and regulations; the Development Agreement meets the requirements of Title 19 of the Henderson Municipal Code and the above-described statute; and Developer's completion of the Project pursuant to the terms and conditions of the Development Agreement is in the vital and best interests of the health, safety, morals, and welfare of the City's residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements under which the Project will be undertaken; and

WHEREAS, the City and Developer desire to enter into the Development Agreement to set forth their mutual understanding with respect to the orderly development of the Property as an integrated development designed to provide services that will enhance the lives of all those who live, learn, work, and play in the City; and

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

SECTION 1. The City Council hereby approves and adopts the Development Agreement between the City of Henderson and NP Inspirada LLC, for a Resort Hotel with Nonrestricted Gaming (Inspirada Station), including accompanying exhibits attached to such documents, and incorporates the same by reference herein. The Development Agreement including all attachments, is attached hereto as Exhibit 1, consisting of 44 pages. All attachments and exhibits referenced in such documents are attached as stated or on file with the City of Henderson, City Clerk's Office.

SECTION 2. The date of the Development Agreement shall be the date of Council approval of this Ordinance. The effective date of the Development Agreement shall be the date the Development Agreement is recorded in the Official Records.

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 December 22, 2023, in the Las Vegas Review-Journal, at which time it will become effective.

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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*.

PASSED, ADOPTED, AND APPROVED THIS 19th DAY OF DECEMBER, 2023.

Michelle Romero, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on December 5, 2023, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on December 19, 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 December 19, 2023, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:

Michelle Romero, Mayor
Councilmembers:
Carrie Cox
Jim Seebock
Dan H. Stewart

Those voting nay: None
Those abstaining: None
Those absent: Dan K. Shaw

Michelle Romero, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

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