

ORDINANCE NO. 3452
(DEV-16-500490 – All Storage Inspirada)

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 VOLUNTEER SELF STORAGE, LLC FOR THE DEVELOPMENT OF A MINI-STORAGE FACILITY, INCLUDING ONE (1) RESIDENTIAL CARETAKER'S QUARTERS, FIVE THOUSAND ONE HUNDRED (5,100) SQUARE FEET OF OFFICE SPACE AND ONE HUNDRED FIFTY-FOUR THOUSAND, ONE HUNDRED FORTY-SIX (154,146) SQUARE FEET OF WAREHOUSE SPACE, ON 3.97 ACRES AT 3560 VOLUNTEER BOULEVARD, GENERALLY LOCATED ON THE NORTH SIDE OF VOLUNTEER BOULEVARD AND WEST OF VIA INSPIRADA IN THE WEST HENDERSON PLANNING AREA.

- WHEREAS, the City of Henderson, a municipal corporation and political subdivision of the State of Nevada (the "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 citizens; and
- WHEREAS, pursuant to Nevada Revised Statute Chapter 278.0201, the City Council of the City of Henderson, Nevada, enacted Henderson Municipal Code Section 19.6.10.A 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 Volunteer Self Storage, LLC wish to enter into the attached Development Agreement – All-Storage Inspirada, dated August 19, 2017 (the "Development Agreement"), providing for the development of the property described therein (the "Property") in accordance with the above-described statute; and
- WHEREAS, Volunteer Self-Storage, LLC has submitted the necessary plans to the City of Henderson for the development of a mini-storage facility to include a residential caretaker's quarters; and
- WHEREAS, the City of Henderson and Volunteer Storage, LLC desire to enter into this 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 All Storage Inspirada Development Agreement, attached hereto as Exhibit 1, consisting of 179 pages.

- SECTION 2. The effective date of approval of this Ordinance shall be the date the Development Agreement is recorded in the Office of the County Recorder, Clark County, Nevada.
- 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 November 24, 2017, in the Review Journal.

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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 21ST DAY OF NOVEMBER, 2017.

Debra March, Mayor

ATTEST:

Sabrina Mercadante, MMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on November 7, 2017, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on November 21, 2017, 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 November 21, 2017, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:	Debra March, Mayor
	Councilmembers:
	John F. Marz
	Gerri Schroder
	Dan K. Shaw
	Dan H. Stewart

Those voting nay:	None
Those abstaining:	None
Those absent:	None

Debra March, Mayor

ATTEST:

Sabrina Mercadante, MMC, City Clerk