



# City Council Report

**Date:** April 6, 2020  
**To:** City Council  
**Through:** Karolyn Kent, Assistant City Manager  
**From:** Christine Zielonka, Development Services Department Director  
RJ Zeder, Transportation Department Director  
**Subject:** Development Agreement for City Share Reimbursement  
Cadence at Gateway – Crismon Road Phase 3  
5931 S. Crismon Road  
Council District 6

## Purpose and Recommendation

The purpose of this report is to provide information on a proposed Development Agreement for City Share Reimbursement between *PPGN-Ray, LLLP*, an Arizona Limited Liability Limited Partnership, hereinafter referred to as “Developer”, and the City of Mesa, hereinafter referred to as “Mesa”, for the reimbursement of \$166,061.50 for regional street lighting and street improvements that are being required by Mesa in conjunction with the proposed development known as Cadence at Gateway – Crismon Road Phase 3, located at 5931 S. Crismon Road, hereinafter referred to as “Development”.

Staff recommends Council approve the Development Agreement for Reimbursement of City Share and the Resolution authorizing the City Manager or his designee to sign the Development Agreement.

## Background

The Developer is proposing the construction of a development known as Cadence at Gateway – Crismon Road Phase 3, 5931 S. Crismon Road, as shown on Exhibit A within the attached Development Agreement. The Development is subject to the regulations contained in Title Nine, Chapters Six and Eight of the Mesa City Code, which require the Developer to design and install the offsite improvements adjacent to the proposed development as required by Mesa standards. Offsite regional improvements are being required to ensure that Mesa’s minimum standards for infrastructure are maintained.

## **Discussion**

Mesa is requiring the Developer to install regional street lighting and street improvements along Crismon Road. Mesa proposes to financially participate in the regional improvement costs and will reimburse the Developer for Mesa's share of the costs as identified within Exhibit B of the attached Development Agreement for City Share Reimbursement.

The Developer agreed to install the regional street lighting and street improvements along Crismon Road and to follow the terms and conditions of the Development Agreement including the Developer providing Mesa with copies of all contracts, invoices, lien releases and proof of payments that clearly and accurately document the unit costs paid by the Developer for the regional offsite improvements.

In order for Mesa to reimburse the Developer for Mesa's share of project costs, Mesa must enter into the attached Development Agreement.

## **Alternatives**

The alternative would be for Mesa to not enter into the Development Agreement. This would mean that the Developer would most likely not install any of the regional improvements that are necessary to provide for Mesa's infrastructure required to meet the overall regional need of the development of the property within this area.

This alternative is not recommended at this time due to the public need to complete the regional improvements.

## **Fiscal Impact**

In accordance with Mesa's City Share policy and guidelines, Mesa's estimated City Share on this Development is \$166,061.50 (see Exhibit B to the Development Agreement for details).

Mesa's share of funding for the improvements is budgeted in the Transportation Department's FY 2019/2020 budget (Fund 13072013, Major Program CN0003 Phase 104).

## **Coordinated With**

The Development Services and Transportation Departments concur with this recommendation.