

RESOLUTION NO. 12421

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, ARIZONA APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MESA AIRPORT GROWTH PROPERTIES LLC TO FACILITATE THE DEVELOPMENT OF AN INDUSTRIAL AND COMMERCIAL CENTER ON 33+/- ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE NORTHWEST AND SOUTHWEST CORNERS OF RAY ROAD AND HAWES ROAD, MESA, AZ.

Whereas, the City of Mesa (“City”) is authorized by A.R.S. §9-500.05 to enter into a development agreement.

Whereas, Mesa Airport Growth Properties LLC, (“Developer”) owns approximately 33+/- acres of real property generally located at the northwest and southwest corners of Ray Road and Hawes Road, in Mesa, Arizona, with Maricopa County APN(s) 304-30-022F, 304-30-022G, APN 304-30-022H, and APN 304-30-022J (the “Property”).

Whereas, Developer desires to construct an industrial development on a portion of the Property and a commercial and retail mixed-use development on the other portion of the Property (collectively, the “Project”) as more fully described in development agreement DA23-00014 (this “Development Agreement”).

Whereas, to develop the Project Owner must comply with all City development codes and requirements including installing the offsite infrastructure improvements as required by Mesa City Code Title Nine Chapter 8.

Whereas, Owner has asked to defer a portion of the street improvements on Hawes Road; and Owner has asked for a variation to the median openings in the Mesa Engineering & Design Standards.

Whereas, the City Manager, using the authority under Mesa City Code 9-8-4, has agreed to temporarily defer a portion of the Hawes Road improvements subject to certain terms and conditions.

Whereas, the City Traffic Engineer using the authority under Mesa Engineering & Design Standards Section 212.6 has agreed to variations to certain median openings subject to certain terms and conditions.

Whereas, City and Owner desire to enter into this Development Agreement for the primary purpose of prohibiting certain land uses and activities on the Property and setting forth the terms of the temporary deferral of a portion of the Hawes Road improvements and the terms of the variation to the median openings.

Whereas, the City Council determines it is appropriate to enter into this Development Agreement.

Be it resolved by the City Council of the City of Mesa, Arizona, as follows:

Section 1: The City Council approves this Development Agreement between City and Developer.

Section 2: The City Manager or his designee is authorized to execute this Development Agreement, together with all other documents necessary to carry out the provisions of this Development Agreement, on behalf of City. Provided further, the City Manager, or his designee, may make any modifications or amendments to the terms in this Development Agreement as necessary to carry out the intent of this Development Agreement so long as such modifications or amendments do not materially alter the terms or structure of this Development Agreement that was presented to the City Council.

Section 3: The City Clerk is authorized and directed to attest to the signature of the City Manager, or his designee, on this Development Agreement.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MESA, ARIZONA, this 6th day of October 2025.

APPROVED:

Mark Freeman, Mayor

ATTEST:

Holly Moseley, City Clerk