

RESOLUTION NO. 12470

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT WITH GERMAINE RV, LLC, AND MONTY R GERMAINE AND DEBORA L GERMAINE TRUST FOR THE DEVELOPMENT OF A BOAT AND RV STORAGE FACILITY RELATED TO ZONING CASE ZON24-00525 FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF EAST MAIN STREET AND THE LOOP 202 RED MOUNTAIN FREEWAY, MESA, ARIZONA.

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

Whereas, City and Roger D. Overson are parties to that certain development agreement dated March 6, 2018, and recorded in the Maricopa County Recorder’s Office as Recording No. 20180171948 (the “2018 Development Agreement”) on approximately 16.3 acres of real property, consisting of three parcels, located on the southwest corner of East Main Street and the Loop 202 Red Mountain Freeway (the “Property”). The 2018 Development Agreement limited land uses that would otherwise be permitted in the General Commercial zoning district and deferred the requirement to extend sewer lines to the Property and allow an office and RV service facility to be served by an on-site wastewater treatment system (“Septic”).

Whereas, after the Development Agreement was recorded, a portion of the Property was sold to Germaine RV, LLC, and the other portion of the Property was sold to Monty R Germaine and Debora L Germaine Trust (collectively, the “Owners”).

Whereas, Owners have applied to rezone the Property from General Commercial with Planned Area Development Overlay to General Commercial with a new PAD Overlay, Site Plan Review and Council Use Permit, which will allow a Boat and RV Storage facility to be developed on the northwest portion of the Property.

Whereas, Owners have asked to defer the requirement to extend the sewer lines to the northwest portion of the Property where the Boat and RV Storage facility is proposed to be developed.

Whereas, Owners and City desire to enter into an amendment and restatement of the 2018 Development Agreement (DA25-00036) (the “Amended and Restated Development Agreement”) to set forth the terms of the deferral of the requirement to extend the sewer lines to the northwest portion of the Property and to allow a second Septic to serve the proposed Boat and RV Storage facility.

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

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA:

Section 1: The City Council approves the Amended and Restated Development Agreement.

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

Passed and adopted by the Mesa City Council, this 26th day of January, 2026.

APPROVED:

Mark Freeman, Mayor

ATTEST:

Holly Moseley, City Clerk