PROJECT BOREALIS

Case No. ZON24-00291 & DRB24-00292

Citizen Participation Report

Initial Site Plan Review with Special Use Permit and Design Review Application for the Hawes Crossing PAD: Village 8 Specific Plan For a Data Center Industrial Complex

Located at the Northwest Corner of South Ellsworth Road and East Warner Road

Parcel No. 304-31-141

Prepared By:



Benjamin W. Graff, Esq. Joshua Mike, AICP, MBA Quarles & Brady LLP 2 N. Central Ave. Phoenix, AZ 85004

Submittal Date: January 14, 2025

Citizen Participation Report - Project Borealis

Introduction & Purpose:

Quarles & Brady LLP ("Quarles") submits this Citizen Participation Report on behalf of NOVVA Holdings, LLC ("NOVVA" or the "Developer") in regard to Project Borealis, which will consist of a data center industrial complex comprised of an office building, a warehouse, multiple data hall buildings, and a retail tenant building (the "Development").

The purpose of this Citizen Participation Report is to demonstrate how NOVVA engaged and informed citizens, property owners, neighborhood associations, agencies, schools, and businesses in the vicinity of the site of the application for the Development. The Development will be located on the Northwest Corner of East Warner Road and South Ellsworth Road on Parcel Nos. 304-31-141 (the "Property").

The Developer proposes a Specific Plan that implements the key components of the approved Conceptual Plan and is requesting: (1) site plan approval, (2) design review approval, and (3) a Special Use Permit ("SUP").

By providing opportunities for citizen participation, the Development Team engaged those interested in this application and provided an opportunity to learn about and comment on the proposed plan.

Development Team

Owner / Developer

NOVVA Holdings, LLC 6477 Wells Park Rd West Jordan, UT 84081 ATTN: Chandler Swenson Email: <u>c.swenson@novva.com</u> (801) 368-2677

Zoning Attorney / Applicant

Quarles & Brady LLP 2 N. Central Avenue Phoenix, AZ 85004 ATTN: Benjamin Graff Email: <u>Benjamin.Graff@Quarles.com</u> (602) 229-5683

Pre-submittal Outreach:

It is important to note that prior to any submittals to the City of Mesa, including the Pre-Submittal application, our goal was to obtain initial feedback from the City to ensure our proposed development was consistent with the future planning and goals within the General Plan for this area. This was only the beginning of our outreach efforts, and we engaged with the community throughout the process. Our team met with Mesa Staff on the following dates:

- August 23, 2023: Telephone and email correspondence with Sean Pesek.
- October 4, 2023: Virtual meeting with Mary Kopaskie-Brown, Evan Balmer, and Sean Pesek from Planning and Development Department.

Pre-submittal Meeting:

The pre-submittal meeting (PRS23-00969) was held with City of Mesa planning staff on December 19, 2023. Staff reviewed the application and recommended notifying adjacent residents within 1000-ft, and all registered neighborhoods and HOAs within one (1) mile of the Development when proceeding with the formal submittal. Staff provided a collection of email correspondence received from nearby resident. While the proposed use is permitted by-right in the current Limited Industrial ("LI") zoning district, Staff requires an in-person neighborhood meeting due to the initial feedback.

Post-submittal Actions:

In order to provide effective citizen participation in conjunction with the application, the following actions will be taken to provide opportunities to understand and address any questions or concerns from the community:

- 1. A contact list was developed for citizens and agencies in this area. All persons listed on the contact list received a letter describing the project, the proposed site plan, and an invitation to a neighborhood meeting. The contact list included the following:
 - All registered neighborhood associations within one mile of the project (list provided by Staff).
 - Homeowners Associations within one mile of the project (list provided by Staff).
 - Property owners within 1,000 feet from the Property.
 - The Councilmember and Council Coordinator as a part of the neighborhood outreach and public hearing notification.
- The Development Team held a formal, open-house style, neighborhood meeting on July 11, 2024, as required by the City of Mesa. The Development Team prepared exhibits and citizens were invited to discuss the site plan and special use permit proposal.
 - July 11, 2024, at 6pm: Gilbert Public Schools Community Office (6839 E Guadalupe Rd, Mesa).
 - Attended by 2 members of the public, 1 member of the Design Review Board, and 2 members of the Mesa Planning Department. Each attendee spoke with various members of the Development Team.
 - The Development Team described the use, site plan, future retail areas, and proposed public trail space with each person in attendance.
 - The Development Team stayed onsite from 6-7pm.
 - With the positive response from the attendees, Staff did not request a second neighborhood meeting.

- 3. The Development Team attended the public Design Review Board Work Session on August 13, 2024, where the proposed design, elevations, and landscape plans were presented.
 - Notification letters were sent out to property owners within 1000-feet from the Property and all registered homeowners and neighborhood associations within one mile of the Property, in compliance with the City's notification requirements.
 - The notification letter included a description of the Development, the Property, the proposed elevations and landscape plans, and an invitation to the Design Review Board Work Session.
 - No members of the public attended or commented during the work session.
- 4. The Development Team has engaged in conversations with nearby businesses and organizations, who have expressed support and excitement for the project. This included nearby developers to coordinated regional utility infrastructure and retail developers interested in the future retail area.
- 5. In compliance with the public hearing notification requirements, the affidavit of site posting and public hearing notification letters were delivered to the City of Mesa at least 15-days prior to the Planning and Zoning Board meeting scheduled for January 22, 2025.

Schedule:

Pre-submittal Application Filed – November 28, 2023 Pre-submittal meeting – December 19, 2023 Application Submittal – April 1, 2024 Neighborhood meeting – July 11, 2024 Submittal of Citizen Participation Report and Notification materials – January 14, 2025 Planning and Zoning Board Hearing – January 22, 2025

Attachments: CPP Exhibits



One Renaissance Square Two North Central Avenue Suite 600 Phoenix, Arizona 85004-2322 602-229-5200 Fax 602-229-5690 www.quarles.com Attorneys at Law in Chicago Denver Indianapolis Madison Milwaukee Minneapolis Naples Phoenix San Diego Tampa Tucson Washington, D.C.

Writer's Direct Dial: 602-229-5683 E-Mail: Benjamin.Graff@quarles.com

June 27, 2024

Re: Proposed Industrial Development Located at the Northwest Corner of East Warner Road and South Ellsworth in Mesa, AZ.

Dear Property Owner or Neighborhood Association Representative,

The law firm of Quarles & Brady LLP represents NOVVA Holdings, LLC (the "Applicant"), in regard to its proposed industrial complex that is comprised of an office building, a warehouse, five data hall buildings (data center use), and a retail tenant building the "Development" on 160 acres located on Parcel No. 304-31-141 (the "Property"). Please see the attached Vicinity Map showing the location of the Property at the Northwest Corner ("NWC") of East Warner Road and South Ellsworth Road. The purpose of this letter is to inform you that we have recently filed a Planning and Zoning application for site plan review and Special Use Permit ("SUP") (Case No. ZON24-00291) and a Design Review Application (Case No. DRB24-00292). We are excited to share all of the benefits this new development will bring to the area. More simply stated, this development will bring local, high-quality employment opportunities in Southeast Mesa. Some or all of the warehouse space may also be necessary for onsite generation of power.

The Property includes a vacant, industrial zoned parcel within the Hawes Crossing Planned Area Development ("LI-PAD"). The Development includes a variety of uses permitted by-right: (1) a large office building; (2) five data hall buildings; (3) a warehouse supporting the office and data halls; (4) a future retail development; and (5) a public, multipurpose trail. The Development is compatible with the long-term goals for this area in Mesa.

As part of our site plan review process, we invite you to attend a neighborhood open house scheduled in the area to give you an opportunity to discuss the application. Our team will show our site plan layout/design at these meetings, and we are looking forward to the opportunity to speak with you:

In-person Open House July 11, 2024 Doors Open at 6:00pm Gilbert Public Schools Community Education Office 6839 East Guadalupe Road Mesa, AZ 85212 While RSVP's are not required for the neighborhood meeting, we encourage you to RSVP in advance by emailing me at <u>Benjamin.Graff@Quarles.com</u>. If you are unable to attend, or would simply like to discuss the project, please contact me via email or by phone at 602-229-5683 to learn more about the proposal and/or ask any questions. I encourage you to reach out to me first if you have any questions. You can also reach out to the City Planner assigned to this case Cassidy Welch at (480) 644-2591 or <u>Cassidy.Welch@MesaAZ.gov</u>.

Please be advised that a work session with the Design Review and a hearing before the Mesa Planning & Zoning Board will be scheduled to review this case in the future. While the use is permitted by-right, specific meeting and hearing dates to discuss the site plan and overall design have not yet been set. You should receive a second mailing in the future identifying the date and location of the meetings and hearings. You are welcome to attend the hearings to learn about the case and make your opinions known. Please confirm the hearing details with the City of Mesa Planning Department and City Clerk before attending as they are subject to change.

Please do not hesitate to contact me if you have any questions or require any additional information regarding this matter.

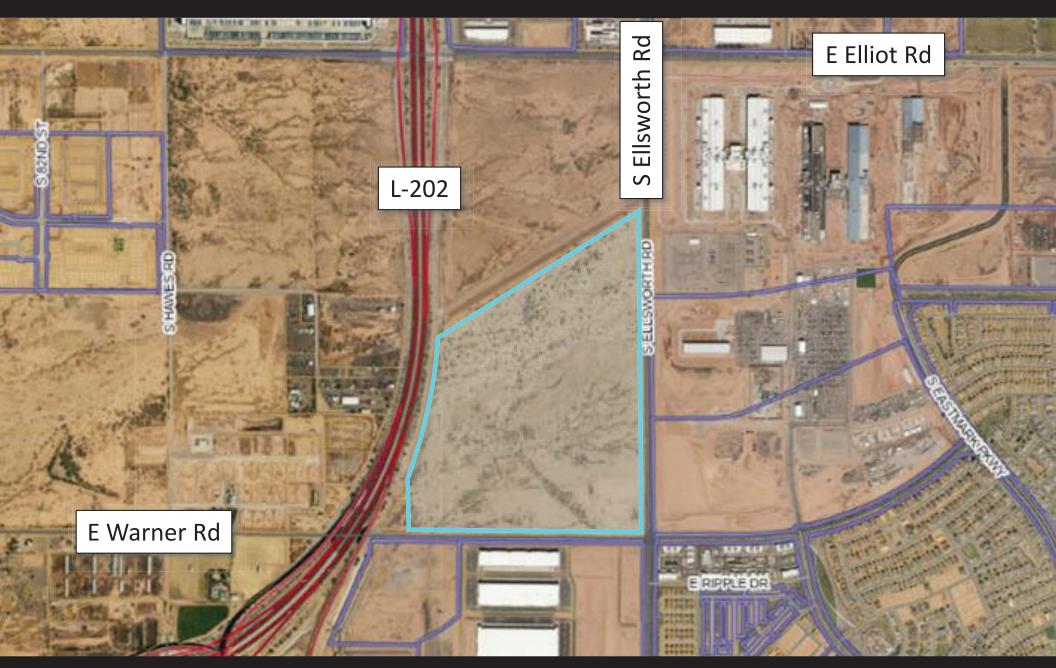
Very truly yours, QUARLES & BRADY LLP

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Benjamin W. Graff

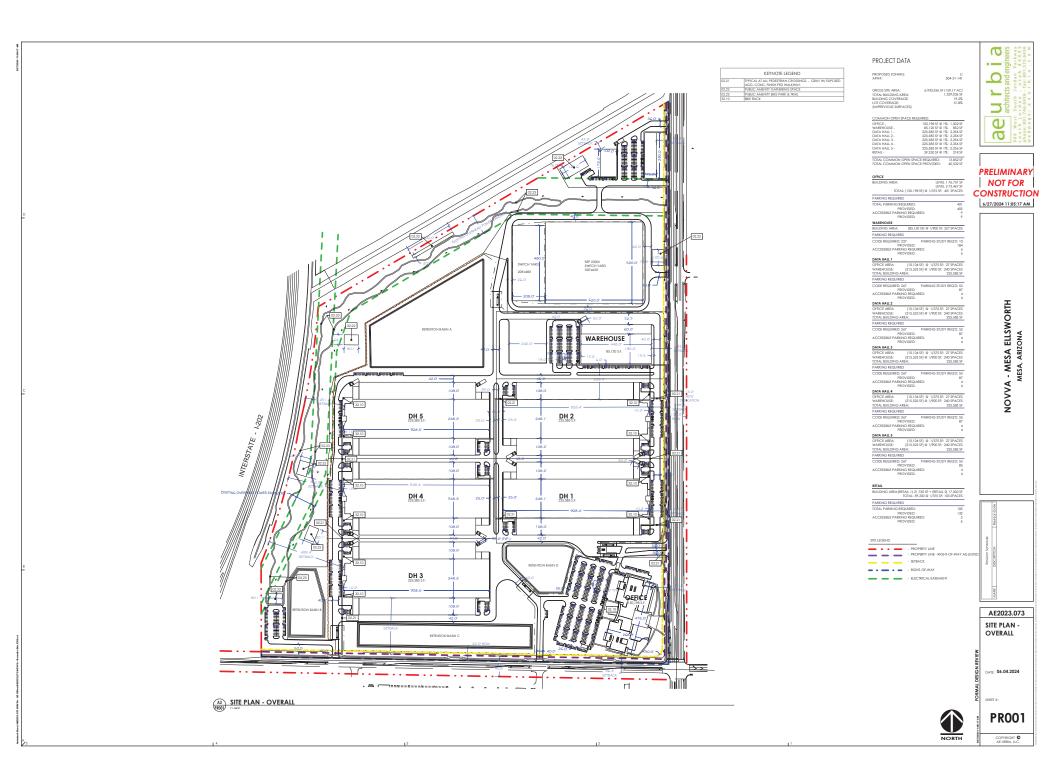
Attachments: Vicinity Map, Proposed Site Plan, Proposed Elevations

AERIAL MAP





APN: 304-31-141 NWC WARNER RD & ELLSWORTH RD









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DATE: 6/4/2024

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SIGN-IN SHEET

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City of Mesa Applications

Site Plan Reviw and Special Use Permit (Case No. ZON24-00291)

Design Review (Case No. DRB24-00292)

July 11, 2024 at 6:00 PM

Gilbert Public Schools Community Education Office - 6839 East Guadalupe Road, Mesa, Arizona 85212

NAME	ADDRESS	PHONE NUMBER	EMAIL ADDRESS
1 Michael Milles	10638 E Travertine Ave. 4032 S fime	310-930-822	7 michael. m. milker @ (ive. co.
2 hale Bell	4032 S frome	612-229-0191	Kyle bell 637 gral, con
3 Kim Portugal		9149-291-186	
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One Renaissance Square Two North Central Avenue Suite 600 Phoenix, Arizona 85004-2322 602-229-5200 Fax 602-229-5690 www.quarles.com Attorneys at Law in Chicago Denver Indianapolis Madison Milwaukee Minneapolis Naples Phoenix San Diego Tampa Tucson Washington, D.C.

Writer's Direct Dial: 602-229-5683 E-Mail: Benjamin.Graff@quarles.com

July 26, 2024

Re: Proposed Industrial Development Located at the Northwest Corner of East Warner Road and South Ellsworth in Mesa, AZ.

Dear Property Owner or Neighborhood Association Representative,

The law firm of Quarles & Brady LLP represents NOVVA Holdings, LLC (the "Applicant"), in regard to its proposed industrial complex that is comprised of an office building, a warehouse, five data hall buildings (data center use), and a retail tenant building (the "Development") on 160 acres located on Parcel No. 304-31-141 (the "Property"). Please see the attached Vicinity Map showing the location of the Property at the Northwest Corner ("NWC") of East Warner Road and South Ellsworth Road. The case number assigned to this project is **DRB24-00292**.

This letter is being sent to all property owners within 1,000-feet of the property per the notification processes set forth by the City of Mesa Planning Division. Enclosed is a copy of the site plan and elevations of the proposed development. In accordance with the City's notification procedures for Design Review applications, the purpose of this letter is to inform you that a Design Review Board meeting has been scheduled for the proposed development on **August 13, 2024 at 4:30 PM**. The meeting will be held in the <u>City Council Chambers located at 57 East First Street</u>. The Design Review Board reviews the proposed building design, landscape plan, parking layout and site layout. **The Design Review Board does not review or discuss the proposed use of the Property.**

This Design Review application is being processed concurrently with the Planning and Zoning application for Site Plan Review and Special Use Permit ("SUP") (Case No. ZON24-00291). The Site Plan Review and SUP application will be considered at a future Mesa Planning & Zoning Board meeting.

We are excited to share all of the benefits this new development will bring to the area. More simply stated, this development will bring local, high-quality employment opportunities in Southeast Mesa. Some or all of the warehouse space may also be necessary for onsite generation of power. The Property includes a vacant, industrial zoned parcel within the Hawes Crossing Planned Area Development ("LI-PAD"). The Development includes a variety of uses permitted by-right: (1) a large office building; (2) five data hall buildings; (3) a warehouse supporting the office and data halls; (4) a future retail development; and (5) a public, multipurpose trail. The Development is compatible with the long-term goals for this area in Mesa.

The public can attend the Design Review Board Work Session either in-person or electronically and telephonically. The live meeting may be watched using the following zoom meeting information: https://mesall.zoom.us/j/82508085605, or listened to by calling 888-788-0099 or 877-853-5247 (toll free) using meeting ID 530 123 2921 and following the prompts.

If you want to provide a written comment or speak telephonically at the meeting, please submit an online comment card by scanning the QR code below or visiting the following website at <u>https://www.mesaaz.gov/government/advisory-boards-committees/board-of-adiustment/onlinemeeting-comment-card</u> at least 1 hour prior to the start of the meeting. If you want to speak at the meeting, you will need to indicate on the comment card that you would like to speak during the meeting, and you will need to call **888-788-0099 or 877-853-5247 (toll free), using meeting ID 530 123 2921 and following the prompts, prior to the start of the meeting**. You will be able to listen to the meeting; and when the item you have indicated that you want to speak on is before the Board, your line will be taken off mute and you will be given an opportunity to speak. For help with the online comment card, or for any other technical difficulties, please call 480-644-2099.

Please be advised that hearings before the Mesa Planning & Zoning Board will be scheduled to review this case in the future. Please do not hesitate to contact me if you have any questions or require any additional information regarding this matter. You can reach me at Benjamin.Graff@Quarles.com or at (602) 229-5683 and I encourage you to reach out to me first if you have questions about this development. You can also reach out to the City Planner assigned to this case Cassidy Welch at (480) 644-2591 or Cassidy.Welch@MesaAZ.gov.

Please do not hesitate to contact me if you have any questions or require any additional information regarding this matter.

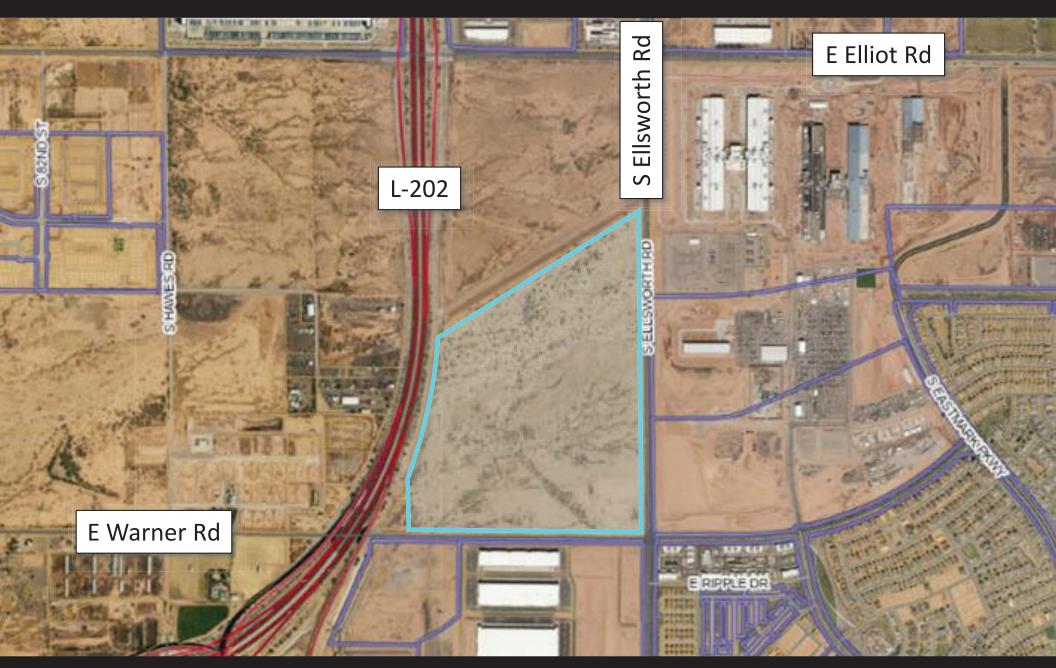
Very truly yours, QUARLES & BRADY LLP

Benjamin W. Graff

Attachments: Vicinity Map, Proposed Site Plan, Proposed Elevations

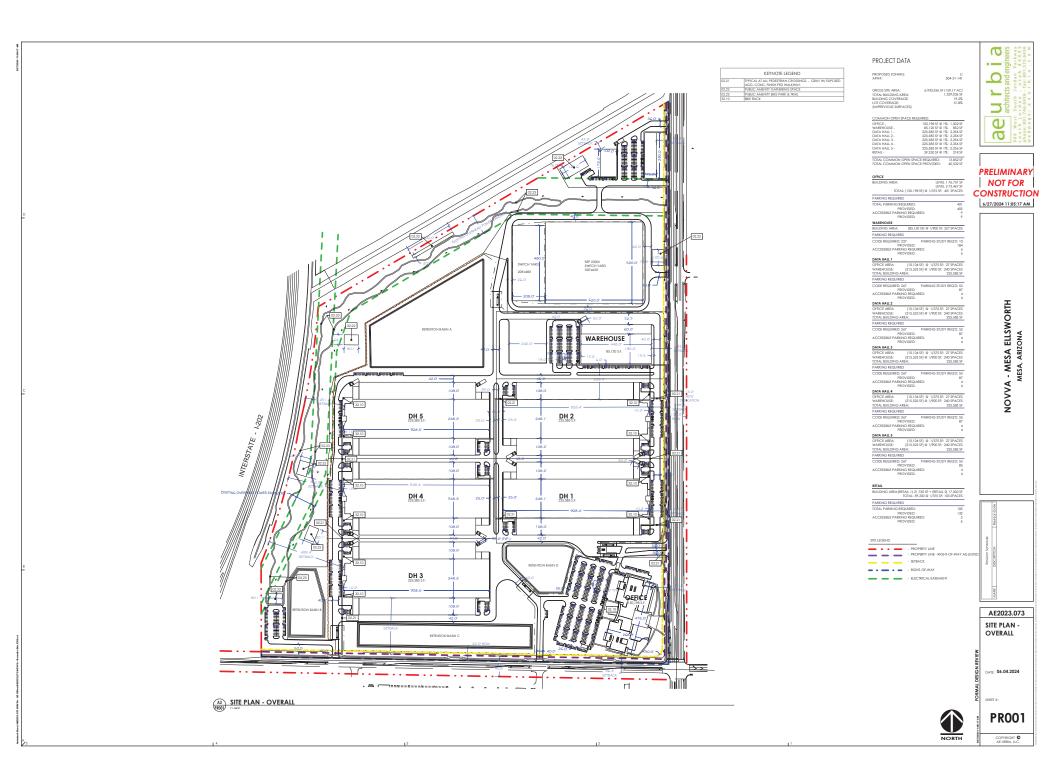


AERIAL MAP





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Writer's Direct Dial: 602-229-5683 E-Mail: Benjamin.Graff@quarles.com

January 6, 2025

Re: Proposed Industrial Development Located at the Northwest Corner of East Warner Road and South Ellsworth in Mesa, AZ.

Dear Property Owner or Neighborhood Association Representative,

The law firm of Quarles & Brady LLP represents NOVVA Holdings, LLC (the "Applicant"), in regard to its proposed industrial complex that is comprised of an office building, a warehouse, five data hall buildings (data center use), and a retail tenant building (the "Development") on 160 acres located on Parcel No. 304-31-141 (the "Property"). Please see the attached Vicinity Map showing the location of the Property at the Northwest Corner ("NWC") of East Warner Road and South Ellsworth Road. The case number assigned to this project is **ZON24-00291**. The Property includes a vacant, industrial zoned parcel within the Hawes Crossing Planned Area Development ("LI-PAD"). The Development includes a variety of uses permitted by-right: (1) a large office building; (2) five data hall buildings; (3) a warehouse supporting the office and data halls; (4) a future retail development; and (5) a public, multipurpose trail.

This letter is being sent to all property owners within 1000-feet of the property and to nearby Homeowners Associations and Neighborhood Associations per the notification processes set forth by the City of Mesa Planning Division. To achieve the proposed Development, the Applicant is requesting approval of: (1) Site Plan and (2) Special Use Permit ("SUP"). The Development is compatible with the long-term goals for this area in Mesa.

Enclosed is a copy of the site plan and elevations of the proposed development. In accordance with the City's notification procedures for Planning and Zoning applications, the purpose of this letter is to inform you that a Planning and Zoning Board public hearing has been scheduled for the proposed development on January 22, 2025, at 4:00 PM. The meeting will be held in the City Council Chambers located at 57 East First Street.

The public can attend the meeting either in-person or electronically and telephonically. The live meeting may be watched on local cable Mesa channel 11, online at <u>Mesa11.com/live</u> or <u>www.youtube.com/user/cityofmesa11/live</u>, or listened to by **calling 888-788-0099 or 877-853-5247 (toll free) using meeting ID 825 0808 5605 and following the prompts**.

If you want to provide a written comment or speak telephonically at the meeting, please submit an online comment card by scanning the QR code below or visiting the following website, https://www.mesaaz.gov/government/advisory-boards-committees/planning-zoning-board/online-meeting-comment-card, at least 1 hour prior to the start of the meeting. If you want to speak at the meeting, you will need to indicate on the comment card that you would like to speak during the meeting, and you will need to call 888-788-0099 or 877-853-5247 (toll free) using meeting ID 825 0808 5605 and following the prompts, prior to the start of the meeting. You will be able to listen to the meeting; and when the item you have indicated that you want to speak on is before the Board, your line will be taken off mute and you will be given an opportunity to speak. For help with the online comment card, or for any other technical difficulties, please call 480-644-2099

If you are unable to attend, or would simply like to discuss the project, please contact me via email at <u>Benjamin.Graff@Quarles.com</u> or by phone at 602-229-5683 to learn more about the proposal and/or ask any questions. I encourage you to reach out to me first if you have any questions. You can also reach out to the City Planner assigned to this case Cassidy Welch at (480) 644-2591 or <u>Cassidy.Welch@MesaAZ.gov</u>, should you have any questions regarding the public hearing process. If you have sold this property in the interim, please forward this correspondence to the new owner.

You are welcome to attend the hearing to learn about the case and make your opinions known. Please confirm the hearing details with the City of Mesa Planning Department before attending as they are subject to change.

Please do not hesitate to contact me if you have any questions or require any additional information regarding this matter.

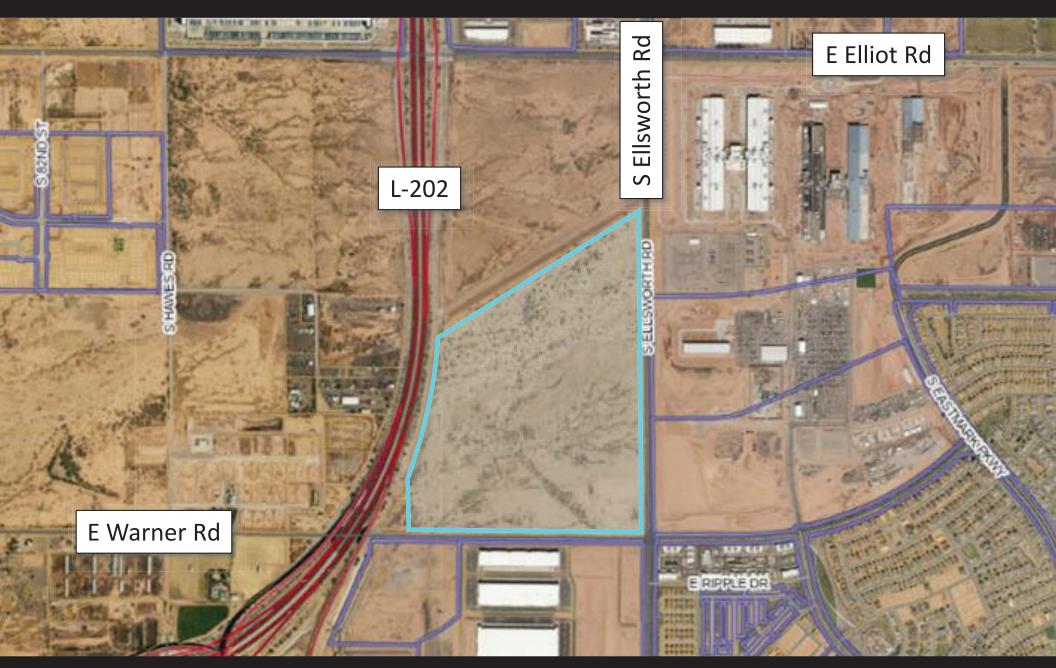
Very truly yours, QUARLES & BRADY LLP

Benjamin W. Graff

Attachments: Vicinity Map, Proposed Site Plan, Proposed Elevations

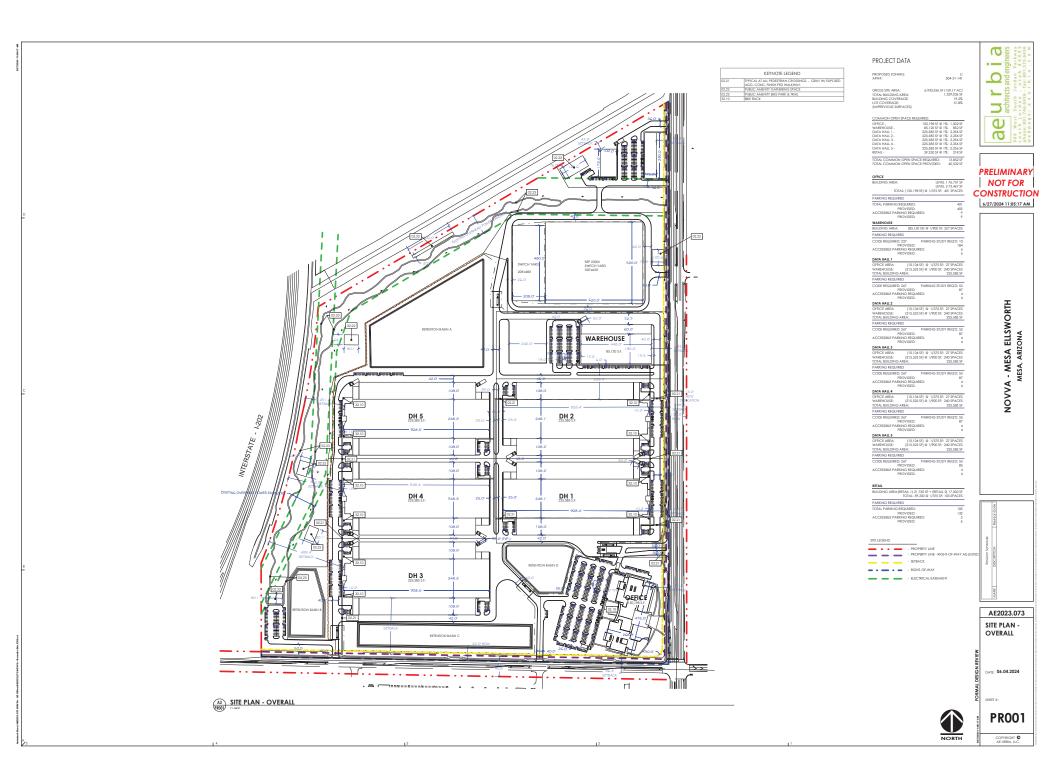


AERIAL MAP





APN: 304-31-141 NWC WARNER RD & ELLSWORTH RD









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AFFIDAVIT OF PUBLIC POSTING

Date: 01/07/25

I, Meghan Liggett, being the owner or authorized agent for the zoning case below, do hereby affirm that I have posted the property related to case # ZON2400291, on <u>NWC Ellsworth Rd and Warner Rd</u>. The posting was in one place with one notice for each quarter mile of frontage along perimeter right-of-way so that the notices were visible from the nearest public right-of-way.

SUBMIT PHOTOGRAPHS OF THE POSTINGS MOUNTED ON AN 8.5'
BY 11" SHEET OF PAPER WITH THIS AFFIDAVIT.
Applicant's/Representative's signature:
SUBSCRIBED AND SWORN before me on 01/07/25
Marypeth Conrad Notary Public

MARYBETH CONRAD Hotary Public - Arizona Maricopa County Commission # 673441 My Comm. Espires Oct 25, 2028

CITY OF MESA PUBLIC NOTICE **ZONING BOARD** PLANNING & ZONING BOARD 57 EAST FIRST STREET MESA, ARIZONA TIME: 4:00 PM DATE: January 22, 2025 CASE: ZON24-00291 Request: Site Plan Review and Special Use Permit for a Data Center.

Applicant: Benjamin Graff Phone: 602-229-5683 Planning Division (480) 644-2385 Posting date: 1/07/25



January 7, 2025 at 7:42 AM +33.338112,-111.635839 S Ellsworth Rd Mesa AZ 85212 United States

CITY OF MESA PUBLIC NOTICE **ZONING HEARING** PLANNING & ZONING BOARD **57 EAST FIRST STREET** MESA, ARIZONA TIME: 4:00 PM DATE: January 22, 2025 CASE: ZON24-00291 **Request: Site Plan Review and Special** Use Permit for a Data Center. Applicant: Benjamin Graff Phone: 602-229-5683 Planning Division (480) 644-2385 Posting date: 1/07/25



Janua<mark>ry 7, 2025 at 7:58 AM</mark> +33.335906, -111.63915820286–20350 E Warner Rd Mesa AZ 85212 **United States**