

RESOLUTION NO. 12063

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MESA AZ INDUSTRIAL OWNER, LLC

WHEREAS, Mesa AZ Industrial Owner, LLC (“Owner”) desires to construct a business park supporting a mix of uses including retail, hospitality, manufacturing, industrial and office space on approximately 273 acres of real property located north of the southwest corner of East Elliot Road and South Sossaman Road in Mesa, Arizona consisting of APNs 304-17-014L, 304-17-005B, 304-17-014M in Mesa, Arizona (“Property”).

WHEREAS, the Owner requested to modify the existing zoning on the Property from Agriculture (AG) to Light Industrial with a Planned Area Development Overlay (“LI-PAD”).

WHEREAS, per the Mesa 2040 General Plan (“Plan”), the Property is located in the Mixed-Use Activity/Employment Character Area, and within the Inner Loop District of the Mesa Gateway Strategic Development Plan (“the ILD”), which envisions, among other things, a variety of uses that ensure employment and development is compatible with over flight activity.

WHEREAS, several of the land uses allowed in the proposed LI-PAD do not align with the intended land uses of the ILD; therefore, to address this concern, as a condition of rezoning, the Owner has agreed to limit certain uses that would otherwise be allowed in the proposed LI-PAD zoning district through the execution of a development agreement with the City (“Development Agreement”).

WHEREAS, it is in the best interest of the City to encourage and promote development because development, in turn, stimulates economic activity throughout the City which improves and enhances the economic welfare of the City’s citizens, generates taxes, and provides other benefits for the City.

WHEREAS, Arizona Revised Statutes (“A.R.S.”) § 9-500.05 authorizes the City to enter into a development agreement with any person or entity having an interest in real property in Mesa providing for the permitted uses of such property and certain other development rights and restrictions thereon so long as the development agreement is consistent with the City’s general plan or specific plan, if any, applicable to the property on the date the development agreement is executed.

WHEREAS, City Council hereby determines it is appropriate to enter into the Development Agreement as contemplated herein.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That the City Manager, or his designee, is authorized and directed to enter into the Development Agreement related to the Property, together with all other documents and amendments thereto, necessary to carry out the provisions of such agreement.

Section 2: That the City Manager, or his designee, is authorized to make any modifications and amendments to the terms set forth in the Development Agreement so long as such modifications do not materially alter the overall structure of the Development Agreement as it was presented to the City Council.

Section 3: That the City Clerk is authorized and directed to attest to the signature of the City Manager, or his designee, on all documents set forth in Section 1 and Section 2.

PASSED AND ADOPTED by the Council of the City of Mesa, Maricopa County, Arizona this 19th day of June, 2023.

APPROVED:

John Giles, Mayor

ATTEST:

Holly Moseley, City Clerk