

RESOLUTION NO. 12397

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, WHICH IS A RETAIL DEVELOPMENT TAX INCENTIVE AGREEMENT PURSUANT TO A.R.S. § 9-500.11 (VERSION 2), RELATED TO THE DEVELOPMENT OF CERTAIN IMPROVEMENTS FOR THE PROJECT KNOWN AS “MEDINA STATION” GENERALLY LOCATED AT THE SOUTHEAST CORNER OF EAST SOUTHERN AVENUE AND SOUTH SIGNAL BUTTE ROAD.

WHEREAS, SimonCRE Buddy, LLC (“Developer”) owns that certain unimproved real property located in Mesa, AZ consisting of approximately 30 +/- gross acres of land identified as Maricopa County APN(s) 220-82-018E and 220-82-018G. Target Corporation (“Target”) is the owner of the adjacent unimproved real property consisting of approximately 10 +/- gross acres of land in Mesa, AZ identified as Maricopa County APN(s) 220-82-018F. The property owned by Developer and Target is legally described and depicted in Exhibit A and is collectively hereafter referred to as the “Property”.

WHEREAS, the Property is a part of the project known as “Medina Station” a mixed-use development on approximately 64.5 +/- acres located at the southeast corner of Signal Butte Road and Southern Avenue consisting of retail, commercial, restaurant, and multifamily residential. Medina Station is proposed to bring communities together by creating space that allows for more sit-down restaurants and space-making, as well as adding national retailers to the City of Mesa. Medina Station is designed to increase the quality of life for the residents, attract visitors from outside the City of Mesa, and offer a unique dining experience that is not currently in the trade area or neighborhood. The portion of the Medina Station development on the Property will consist of the retail, commercial, and restaurant locations and is hereafter referred to as the “Project”; the residential component of Medina Station is not a part of the defined “Project” herein.

WHEREAS, the Project’s estimated 337,340 +/- square feet of retail, commercial, and restaurant space is intended to include: (a) an estimated 39,000 +/- square feet of five upscale, mid-class, high-quality, or contemporary casual full-service restaurants; and (b) three large retail anchor stores totaling approximately 245,300 +/- square feet, including an estimated 80,000 +/- square foot, two-story Dick’s Sporting Goods.

WHEREAS, the Project will enhance the economic welfare for the inhabitants of the City of Mesa by, among other things: (i) requiring development of the Property consistent with the City’s adopted general plan; (ii) providing for the planning, design, engineering, construction, acquisition, and/or installation of public infrastructure in order to support anticipated development of the Project; (iii) increasing tax and other revenues to the City based on improvements to be constructed on the Property; (iv) creating employment through the construction of the Project; (v) increasing the demand for City services during and after the development of the Project; and/or (vi) otherwise advancing the redevelopment goals of the City.

WHEREAS, Arizona Revised Statutes (“A.R.S.”) § 9-500.05 authorizes the City to enter into a development agreement relating to real property in the jurisdictional limits of Mesa, AZ providing for the development of such property and certain development rights thereon.

WHEREAS, the City believes the development of the Project will serve an area need for the type of destination restaurants and retail to be constructed on the Property and will generate substantial transaction privilege tax revenues for the City; therefore, the City desires to enter into a development agreement with the Developer and Target to provide for a retail sales tax incentive to reimburse Developer for its eligible approved costs related to the construction of certain public infrastructure for the Project (“Development Agreement”).

WHEREAS, A.R.S. § 9-500.11 (Version 2) entitled “Expenditures for economic development; requirements; definitions” (“A.R.S. § 9-500.11”), allows the governing body of a city or town to appropriate and spend public monies for and in connection with economic development activities. The Development Agreement, if entered into by the City, meets the definition in A.R.S. § 9-500.11 of a “retail development tax incentive agreement”.

WHEREAS, A.R.S. § 9-500.11(K) requires a city or town to “adopt a notice of intent to enter into a retail development tax incentive agreement at least fourteen days before approving a retail development tax incentive agreement”; a notice of intent to enter into the Development Agreement was adopted by the City Council on June 16, 2025, a copy of which is on file with the City Clerk’s Office as Resolution No. 12388.

WHEREAS, as required by A.R.S. § 9-500.11, the City Council found, by at least a two-thirds vote, that: (i) the proposed tax incentive in the Development Agreement is anticipated to raise more revenue than the amount of the incentive within the duration of the agreement and that such finding was verified by an independent third-party; and (ii) in the absence of a tax incentive, the Project would not locate in Mesa in the same time, place or manner.

WHEREAS, the prohibition for providing tax incentives in A.R.S. § 42-6010 does not apply to “[i]ncentives consisting of reimbursement for public infrastructure dedicated to and accepted and controlled upon completion of the project by the city or town, county, state or a private utility”; the incentives set forth in the Development Agreement fall within this exclusion.

WHEREAS, the City Council hereby finds and determines that the Project will improve and enhance the economic welfare of the inhabitants of the City of Mesa in accordance with A.R.S. § 9-500.11.

WHEREAS, the City Council hereby determines it is appropriate to enter into the Development Agreement and other agreements and amendments as contemplated therein.

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

Section 1: The City Council approves the Development Agreement between the City, Developer, and Target, and authorizes necessary future actions and the execution of future

documents and agreements necessary to carry out the provisions of the Development Agreement (all the foregoing, collectively, the “Project Documents”).

Section 2: The City Manager, or his designee, is authorized to execute the Project Documents and may agree to and enter into amendments and modifications to the Project Documents as necessary to carry out their intent or to facilitate the development of the Project, so long as such amendments and modifications do not materially alter the terms of the Development Agreement as 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 all Project Documents.

PASSED AND ADOPTED by the Council of the City of Mesa, Maricopa County, Arizona
this 1st day of July, 2025.

APPROVED:

Mayor

ATTEST:

City Clerk

EXHBIT A
PROJECT PROPERTY
(SEE ATTACHED)

APN 220-82-018E:

Bowman

PAGE 1 OF 1

September 12, 2024
PROJECT # 051798-01

**LEGAL DESCRIPTION
PROPOSED LOT 1**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 36, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 36 BEARS, NORTH 00°09'53" WEST (BASIS OF BEARINGS), A DISTANCE OF 2638.52 FEET;

THENCE NORTH 00°09'53" WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 850.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST LINE, NORTH 00°09'53" WEST, A DISTANCE OF 446.45 FEET;

THENCE DEPARTING SAID WEST LINE, NORTH 89°59'57" EAST, A DISTANCE OF 256.76 FEET;

THENCE SOUTH 00°00'03" EAST, A DISTANCE OF 424.72 FEET;

THENCE SOUTH 17°11'40" EAST A DISTANCE OF 223.17 FEET;

THENCE SOUTH 00°00'03" EAST A DISTANCE OF 57.80 FEET;

THENCE SOUTH 89°52'02" WEST A DISTANCE OF 240.65 FEET;

THENCE NORTH 05°53'39" WEST A DISTANCE OF 251.30 FEET;

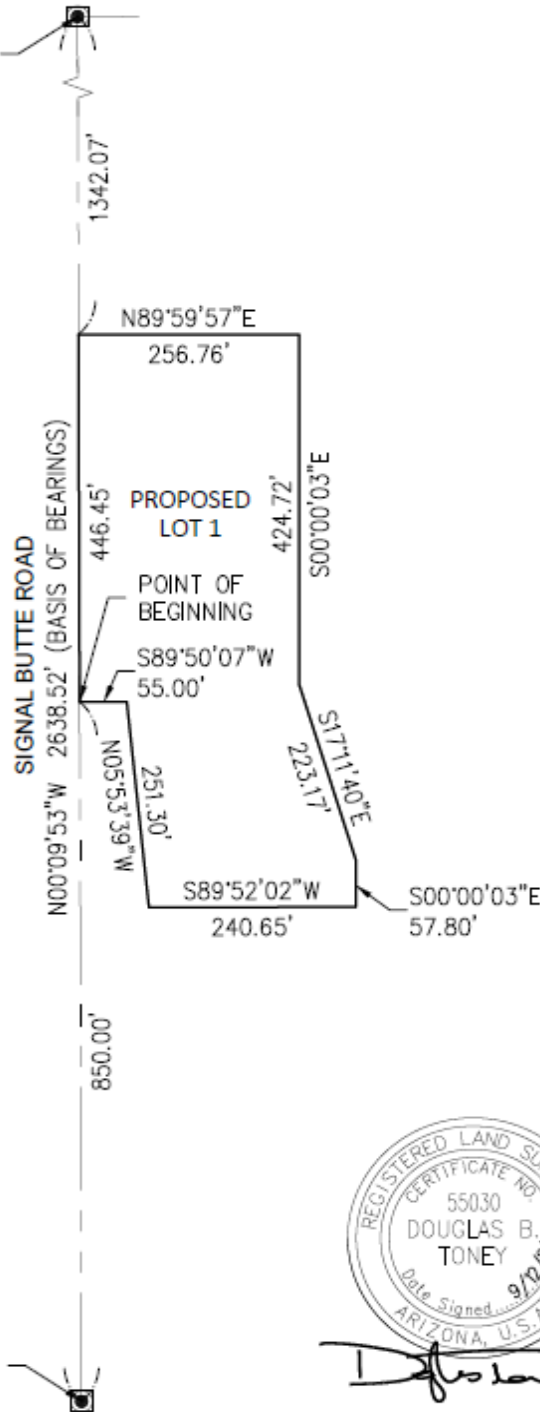
THENCE SOUTH 89°50'07" WEST A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 172,014 SQ.FT. OR 3.9489 ACRES, MORE OR LESS.



Bowman • 1600 N Desert Drive, #210 • Tempe, Arizona 85288 • P: 480.629.8830

NORTHWEST CORNER
SECTION 36, T1N, R7E



WEST QUARTER CORNER
SECTION 36, T1N, R7E



D. Toney



SHEET 1 OF 1	EXHIBIT PROPOSED LOT 1		
	DATE: 9/12/24	BY: TL	CHK: DT
		QC:	
	BOG PROJECT NO: 051798-01 TASK: 001 CLIENT REF NO:		

Bowman

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APN 220-82-018G:

Bowman

PAGE 1 OF 1

September 12, 2024
PROJECT # 051798-01

**LEGAL DESCRIPTION
PROPOSED LOT 3**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 36, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 36 BEARS, NORTH 00°09'53" WEST (BASIS OF BEARINGS), A DISTANCE OF 2638.52 FEET;

THENCE NORTH 00°09'53" WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1331.95 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST LINE, NORTH 00°09'53" WEST, A DISTANCE OF 1306.57 FEET TO THE NORTHWEST CORNER OF SAID SECTION 36;

THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, NORTH 89°52'04" EAST, A DISTANCE OF 806.80 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°00'03" EAST, A DISTANCE OF 1290.73 FEET;

THENCE NORTH 89°59'57" EAST, A DISTANCE OF 132.94 FEET;

THENCE SOUTH 00°00'03" EAST, A DISTANCE OF 81.82 FEET;

THENCE SOUTH 89°59'57" WEST, A DISTANCE OF 180.95 FEET;

THENCE SOUTH 00°00'03" EAST, A DISTANCE OF 15.00 FEET;

THENCE SOUTH 89°59'57" WEST, A DISTANCE OF 205.27 FEET;

THENCE NORTH 09°56'30" WEST, A DISTANCE OF 5.72 FEET;

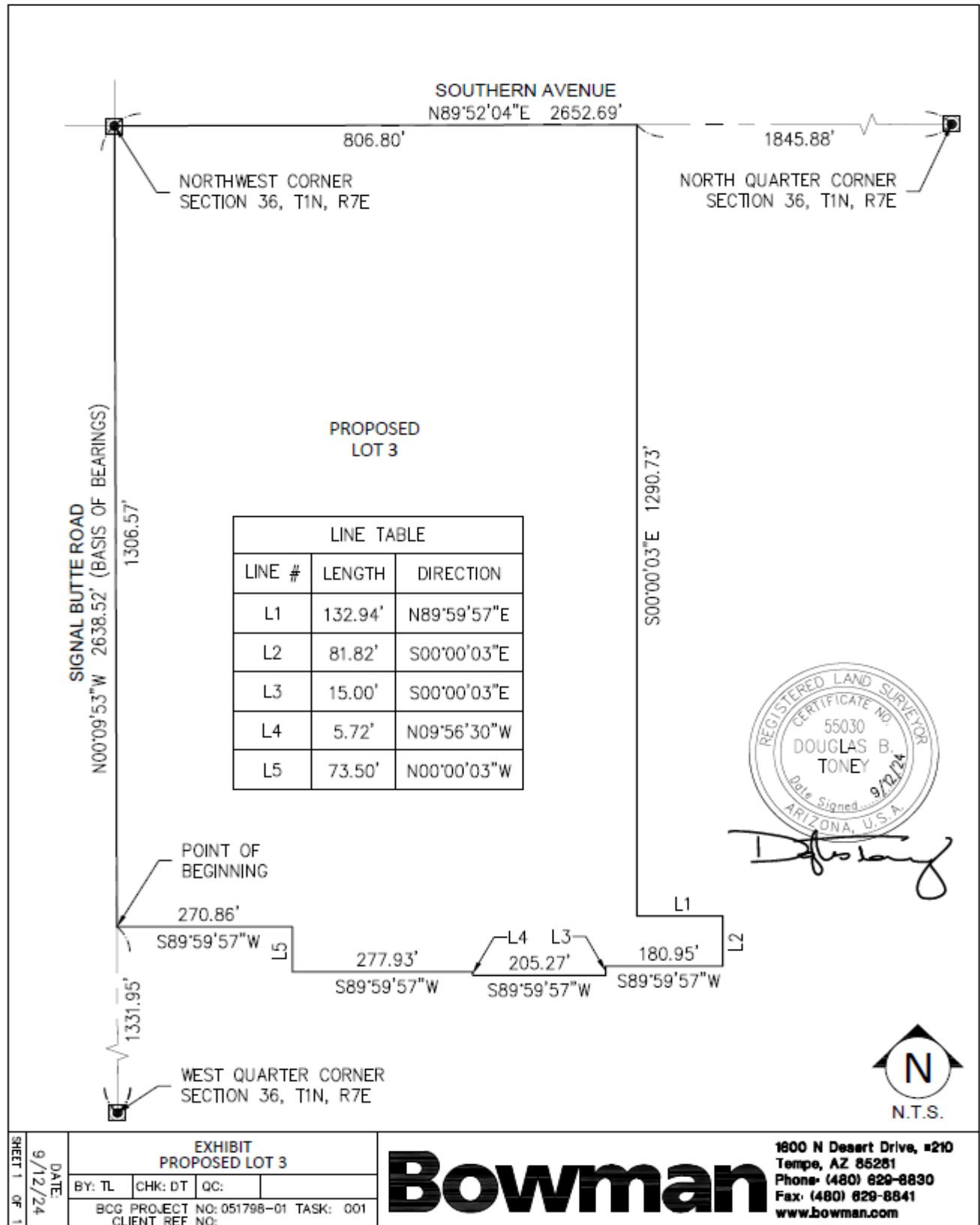
THENCE SOUTH 89°59'57" WEST, A DISTANCE OF 277.93 FEET;

THENCE NORTH 00°00'03" WEST, A DISTANCE OF 73.50 FEET;

THENCE SOUTH 89°59'57" WEST, A DISTANCE OF 270.86 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,103,146 SQ.FT. OR 25.3247 ACRES, MORE OR LESS.





APN 220-82-018F:



PAGE 1 OF 2

September 12, 2024
PROJECT # 051798-01

**LEGAL DESCRIPTION
PROPOSED LOT 2**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 36, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 36 BEARS, NORTH 00°09'53" WEST (BASIS OF BEARINGS), A DISTANCE OF 2638.52 FEET;

THENCE NORTH 00°09'53" WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1296.45 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST LINE, NORTH 00°09'53" WEST, A DISTANCE OF 35.50 FEET;

THENCE DEPARTING SAID WEST LINE, NORTH 89°59'57" EAST, A DISTANCE OF 270.86 FEET;

THENCE SOUTH 00°00'03" EAST, A DISTANCE OF 73.50 FEET;

THENCE NORTH 89°59'57" EAST, A DISTANCE OF 277.93 FEET;

THENCE SOUTH 09°56'30" EAST, A DISTANCE OF 5.72 FEET;

THENCE NORTH 89°59'57" EAST, A DISTANCE OF 205.27 FEET;

THENCE NORTH 00°00'03" WEST, A DISTANCE OF 15.00 FEET;

THENCE NORTH 89°59'57" EAST, A DISTANCE OF 180.95 FEET;

THENCE SOUTH 00°00'03" EAST, A DISTANCE OF 416.75 FEET;

THENCE SOUTH 89°55'06" EAST, A DISTANCE OF 68.32 FEET;

THENCE SOUTH 00°00'03" EAST, A DISTANCE OF 248.66 FEET;

THENCE SOUTH 89°52'02" WEST, A DISTANCE OF 681.49 FEET;

THENCE NORTH 00°00'03" WEST, A DISTANCE OF 57.80 FEET;

THENCE NORTH 17°11'40" WEST, A DISTANCE OF 223.17 FEET;

THENCE NORTH 00°00'03" WEST, A DISTANCE OF 424.72 FEET;

THENCE SOUTH 89°59'57" WEST, A DISTANCE OF 256.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 463,075 SQ.FT. OR 10.6307 ACRES, MORE OR LESS.

