

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT BETWEEN R&S DEVELOPMENT GROUP LLC AND THE CITY OF MESA REGARDING SEWER LINE IMPROVEMENTS AND THE TEMPORARY USE OF A PRIVATE WASTEWATER SYSTEM FOR THE PROJECT RELATED TO ZONING CASE ZON21-00080 FOR PROPERTY LOCATED WITHIN THE 3600 TO 3800 BLOCKS OF NORTH HIGLEY ROAD (EAST SIDE) AND THE 5200 TO 5500 BLOCKS OF THOMAS ROAD (SOUTH SIDE), MESA, ARIZONA.

WHEREAS, the City is authorized by A.R.S. §9-500.05 to enter into a development agreement; and

WHEREAS, R&S Development Group LLC ("Owner") intends to rezone the property located within the 3600 to 3800 blocks of North Higley Road (east side) and the 5200 to 5500 blocks of Thomas Road (south side), (the "Property") from Single Residence-90 (RS-90) to Light Industrial with a Planned Area Development Overlay (LI-PAD) in order to construct an RV storage facility (the "Project"); and

WHEREAS, as a condition of the rezoning of the Property and in order to develop and operate the Project, Owner must comply with all City development codes and requirements, which includes installing onsite and offsite improvements pursuant to in Mesa City Code Title Nine, Chapter Eight; and

WHEREAS, Owner desires to enter into a development agreement to allow, among other things, the temporary use of a septic system on the Property until such time that sewer services are available to the Property; and

WHEREAS, When sewer service is available to the Property, the Owner will be responsible to disconnect the septic tank from the Project and properly abandon or remove, the septic tank from the Property; and send all wastewater generated on the Property to the City sewer; and

WHEREAS, the Council has determined that the development is in the best interest of the City and its residents.

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

Section 1: That the City Council hereby approves a development agreement between R&S Development Group LLC and the City of Mesa for the Property.

Section 2: That the City Manager, Christopher J. Brady, or his designated representative, is authorized to enter into the agreement on behalf of the City of Mesa and sign all other documents necessary to carry out the provisions of such agreement, and the City Clerk is authorized to attest to the signature of the City Manager or his authorized designated representative thereon. The City Manager is further authorized to approve minor typographical, administrative, technical, procedural, and non-material modifications to the agreement and all of its exhibits, that do not materially alter the overall agreement presented to City Council.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 9th day of January, 2023.

APPROVED:

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Mayor

ATTEST:

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City Clerk