

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING A SITE PLAN OF CERTAIN PROPERTY DESCRIBED IN ZONING CASE ZON19-00063 LOCATED WITHIN THE 10200 AND 10300 BLOCKS OF EAST PECOS ROAD (SOUTH SIDE). LOCATED ON THE SOUTH SIDE OF PECOS ROAD EAST OF THE CRISMON ROAD ALIGNMENT. (19± ACRES). THIS REQUEST WILL ALLOW THE DEVELOPMENT OF AN INDUSTRIAL FACILITY ON THE PROPERTY AND PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, the City Zoning Ordinance grants the Planning and Zoning Board the authority to hear and take final action on site plan reviews unless there is a condition for review and approval by City Council; and

WHEREAS, a condition of the zoning on this property requires all future site plan reviews go through the Planning and Zoning Board and the City Council.

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

Section 1: The site plan for the development of an industrial facility located within the 10200 and 10300 blocks of East Pecos Road (south side) attached hereto and made a part hereof and incorporated by reference, is hereby approved subject to compliance with the following conditions:

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review.
4. Compliance with all requirements of the Land Split process.
5. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Owner granting an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport which will be prepared and recorded by the City concurrently with the recordation of the final subdivision map or prior to the issuance of a building permit, whichever occurs first.
  - b. Written notice shall be provided to future property owners that the project is within 2 miles of Phoenix-Mesa Gateway Airport.
  - c. Due to the proximity of the site to Phoenix-Mesa Gateway Airport, all proposed structures require an FAA filing for review in conformance with CFR Title 14 Part 77.9, (form 7460), to determine any effect to navigable airspace, air navigation facilities. A completed form with response by the FAA shall be required for the submittal of a building permit to construct a structure(s) on the property.

Section 2: The various City officers and employees are hereby authorized and directed to perform all acts necessary to give effect to this resolution.

Section 3: PENALTY. Mesa Zoning Ordinance 11-79-1 to 11-79-6 shall apply for any violation of this resolution.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona this 20th day of May, 2019.

APPROVED:

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Mayor

ATTEST:

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City Clerk