

4 Discuss and make a recommendation to the City Council on the following zoning cases:

***4-a ZON22-01264 - "Power Retail Development"** 2± acres located approximately 1,200 feet south of the southwest corner of South Power Road and East Williams Field Road. Rezone from Limited Commercial with a Bonus Intensity Zone Overlay (LC-BIZ) to LC with a new BIZ Overlay (LC-BIZ) and Major Site Plan Modification to allow for a multi-tenant commercial building with a drive-thru facility. **(District 6)**

Planner: Charlotte Bridges

Staff Recommendation: Approval with conditions

The Board recommends to approve case ZON22-01264 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review case DRB23-00014.
3. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for a building permit, or at the time of the City's request for dedication, whichever comes first.
4. Prior to the issuance of a building permit, provide a sewer report demonstrating compliance with Title 18 of the Arizona Revised Statutes R18-9-E301-D requirements for lift station flows, sewage retention and wet well sizing.
5. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
 - b. Due to the proximity to Phoenix Mesa Gateway Airport, any proposed permanent or temporary structure, as required by the FAA, is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
 - c. Prior to the issuance of any building permit, provide documentation by a registered professional engineer or registered professional architect demonstrating compliance with the noise level reductions required in Section 11-19-5 of the Mesa Zoning Ordinance.
6. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this BIZ and shown in the following table:

Development Standards	Approved
<u>Setback of Cross Drive Aisle</u> – <i>MZO Section 11-32-4(A)</i>	Drive aisles that cross main drive aisles connecting directly to a street shall be set back at least 30 feet from the property line abutting the street. (Existing at south and north bound Power Road)

Vote (6 – 0; Boardmember Montes, absent)

Upon tabulation of vote, it showed:

AYES – Ayers, Pitcher, Peterson, Carpenter, Blakeman, Farnsworth

NAYS – None

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Note: Audio recordings of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also "live broadcasted" through the City of Mesa's website at

www.mesaaz.gov