

## RESOLUTION NO. 12152

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING A SITE PLAN AND COUNCIL USE PERMIT FOR CERTAIN PROPERTY DESCRIBED IN ZONING CASE ZON23-00455. WITHIN THE 9300 BLOCK OF EAST SOUTHERN AVENUE (SOUTH SIDE). LOCATED SOUTH OF SOUTHERN AVENUE AND EAST OF ELLSWORTH ROAD. (5.4± ACRES). THIS REQUEST WILL ALLOW FOR THE EXPANSION OF A MINI-STORAGE FACILITY.

WHEREAS, the City Zoning Ordinance establishes the process for site plan review, including establishing which site plans the Planning and Zoning Board has the authority to hear and take final action on, and which site plans are subject to recommendation by the Planning and Zoning Board and review and approval by City Council;

WHEREAS, pursuant to the City Zoning Ordinance, the subject site plan requires recommendation by the Planning and Zoning Board and review and approval by the City Council;

WHEREAS, a Council Use Permit is issued by the City Council after review and recommendation by the Planning and Zoning Board; and

WHEREAS, the City Council determines that the project conforms to all of the review criteria for a Council Use Permit in the City Zoning Ordinance.

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

Section 1: The final site plan and Council Use Permit for the development of a mini-storage facility within the 9300 block of East Southern Avenue (south side), located south of Southern Avenue and east of Ellsworth Road, is hereby approved subject to compliance with the following conditions:

1. Compliance with all conditions of approval of Case No. Z07-006, except compliance with the final site plan, landscape plan, and elevations submitted with this request instead of the site plan, landscape plan and elevations approved with Case No. Z07-006.
2. Compliance with all requirements of Design Review, Case No. DRB23-00659.
3. 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.
  - d. Provide written notice to future property owners that the project is within 2 miles of Phoenix-Mesa Gateway Airport.

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

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona this 5th day of February, 2024.

APPROVED:

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Mayor

ATTEST:

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City Clerk