

**\*4-c ZON22-01178. "Take 5 @ Ellsworth" (District 5).** Within the 1200 to 1300 blocks of South Ellsworth Road (east side). Located south of Southern Avenue on the east side of Ellsworth Road. (2.7± acres). Site Plan Review. This request will allow for a minor automobile/vehicle repair facility. LOWES HIW INC, Owner; Jesse Macias, M3 Design, LLC, Applicant.

**Planner: Charlotte Bridges**

**Staff Recommendation: Approval with conditions**

**Summary: This case was on the consent agenda and was not discussed individually.**

Boardmember Peterson motioned to approve case ZON22-01178. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON22-01178 conditioned upon:**

1. Compliance with final site plan and landscape plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB22-00179.
3. Compliance with all conditions of approval of Ordinance No. 4385 (Zoning Case No. Z05-033), except compliance with the final site plan and landscape plan submitted with this request (Case No. ZON22-01178).
4. Compliance with all City development codes and regulations.
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 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 5± miles of Phoenix-Mesa Gateway Airport
  - e. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which states in part: "This property, due to its proximity to Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

**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](http://www.mesaaz.gov)**