

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 ZON22-00437 WITHIN THE 9300 TO 9600 BLOCKS OF EAST GERMAN ROAD (NORTH SIDE). LOCATED EAST OF ELLSWORTH ROAD ON THE NORTH SIDE OF GERMAN ROAD. (38± ACRES). THIS REQUEST WILL ALLOW FOR AN INDUSTRIAL WAREHOUSE AND OFFICE DEVELOPMENT.

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.

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 for the development of an industrial development within the 9300 to 9600 blocks of East Germann Road (north side) is hereby approved subject to compliance with the following conditions:

1. Compliance with final site plan submitted.
2. Compliance with all requirements of Design Review (Case No. DRB22-00433).
3. Compliance with all City development codes and regulations.
4. Prior to the issuance of any building permit, record a lot combination with Maricopa County.
5. All off-site improvements and street frontage landscaping must be installed in the first phase of construction.
6. 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 the 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 1 mile 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 must state 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."

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 19th day of September, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk