

- *4-b ZON22-00546 “Recker and 202 Retail” (District 5).** Within the 3300 block of North Recker Road (west side) and the 5900 block of East Virginia Street (south side). Located south of Virginia Street on the west side of Recker Road. (25± acres). Site Plan Modification and amending the conditions of approval on zoning case Z07-118. This request will allow for a commercial development. Neil Feaser, RKAA, applicant; SUN CITY 115, LLC, owner.

Planner: Charlotte Bridges

Staff Recommendation: Approval with conditions

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

Boardmember Ayers motioned to approve Case ZON22-00546. The motion was seconded by Boardmember Pitcher.

That: The Board recommends to approve Case ZON22-00546 conditioned upon:

1. Compliance with all City development codes and regulations.
2. Compliance with final site plan and landscape plan submitted.
3. Prior to application for any building permit, apply for and receive approval for an Administrative Use Permit to allow the number of parking spaces to exceed 125% of the maximum required parking spaces or reduce the parking to comply with the Zoning Ordinance.
4. Compliance with all requirements of Design Review for DRB22-00547.
5. Compliance with Case No. Z07-118 (Ordinance No. 4804), except compliance with the final site plan and landscape plan approved with this case.
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 Falcon Field Airport prior to or concurrently with the recordation of the final subdivision map, minor land division or the issuance of a building permit, whichever occurs first.
 - b. Due to the proximity to Falcon Field 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 one, one-half mile of Falcon Field Airport
 - e. All final subdivision plats or minor land divisions 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 Falcon Field Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals.”

Vote: 5-0 (Boardmember Sarkissian and Boardmember Montes, absent)

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher

NAYS – None