

- *4-f ZON22-01271. "Power & Elliot Commercial" (District 6).** Within the 6800 to 6900 blocks of East Elliot Road (south side) and within the 3600 to 3700 blocks of South Power Road (east side). Located south of Elliot Road and east of Power Road. Rezone from Limited Commercial with a Planned Area Development overlay and Bonus Intensity Zone overlay (LC-PAD-BIZ) to Limited Commercial (LC), Site Plan Review; and Special Use Permit. (12± acres). This request will allow for a commercial development.

Planner: Cassidy Welch

Staff Recommendation: Approval with conditions

Summary:

Applicant Benjamin Tate made a presentation to the Board. See attached presentation.

Discussion ensued about reducing the building footprint from 42,000 square feet to 40,000 square feet and to modify the Special Use Permit with a parking ratio to 1 parking space per 125 square feet of building.

Boardmember Sarkissian motioned to approve ZON22-01271. The motion was seconded by Boardmember Allen.

That: The Board recommends to approve ZON22-01271 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with the Plan of Operation outlined in the project narrative.
3. Compliance with the Good Neighbor Policy submitted.
4. Compliance with all requirements of Design Review case DRB22-01273.
5. Future Design Review approval for the development of Pads A-E.
6. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication, whichever comes first.
7. All off-site improvements and street frontage landscaping must be installed in the first phase of construction.
8. Prior to the issuance of a building permit, obtain approval of and record with Maricopa County a final subdivision plat for the Proposed Project.
9. Prior to issuance of a building permit, obtain approval from the Transportation Department regarding the design of the access driveways on Power Road and Elliot Road.
10. Compliance with all City development codes and regulations.
11. 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
- 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: 5-1 (Chair Crockett, absent)

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Pitcher, Montes

NAYS – Peterson

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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