

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 Z17-011 THE 5400 BLOCK OF SOUTH POWER ROAD (EAST SIDE). LOCATED SOUTH OF RAY ROAD ON THE EAST SIDE OF POWER ROAD (2.43± ACRES). THIS REQUEST WILL ALLOW THE DEVELOPMENT OF A MEDICAL MARIJUANA FACILITY ON THE PROPERTY AND PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, the City Zoning Ordinance grants the Planning and Zoning Board the authority to hear and take final action on site plan reviews unless there is a condition for review and approval by City Council; and

WHEREAS, a condition of the zoning on this property requires all future site plan reviews go through the Planning and Zoning Board and 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 site plan for a medical marijuana facility located in the 5400 block of South Power Road attached hereto and made a part hereof and incorporated by reference, is approved subject to compliance with the following conditions:

1. Compliance with the development as described in the project narrative and as shown on the site plan, elevations and landscape plan, except as modified below;
2. Compliance with all City development codes and regulations;
3. Signs (detached and attached) require separate approval and permit for locations, size, and quantity;
4. Compliance with all conditions of Design Review approval DR17-015 for architectural and landscaping design;
5. Owner granting an Avigation Easement and Release to the City, pertaining to Phoenix Mesa Gateway Airport (which will be prepared and recorded by the City prior to the issuance of a building permit);
6. Noise attenuation measures to be incorporated into the design and construction of the buildings to achieve a noise level reduction of 25 dB;
7. Due to the proximity to Phoenix Mesa Gateway Airport, any proposed structure is subject to an FAA filing for review in conformance with CFR Title 14 Part 77.9, (form 7460), to determine any effect to navigable airspace, air navigation facilities. A completed form with response by the FAA must accompany building permit application for structures on this property;
8. All modifications to zoning development standards shown on the site plan to be approved by the Board of Adjustment through approval of a Substantial Conformance Improvement Permit. Any modifications not approved by the Board of Adjustment will require Site Plan

Modification to meet code requirements.

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

Section 3: PENALTY. Mesa Zoning Ordinance 11-79-1 to 11-79-6 shall apply for any violation of this resolution.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona this 22nd day of May, 2017.

APPROVED:

Mayor

ATTEST:

City Clerk