

MINUTES OF THE APRIL 8, 2020 PLANNING & ZONING MEETING

- *4-a ZON19-00507 District 6.** Within the 4000 block of South Power Road (east side). Located north of Warner Road on the east side of Power Road (25± acres). Rezoning from LC and LI to LI-PAD. This request will allow for the development of a large-scale commercial recreation development. Pew & Lake, PLC, applicant; Cono Vertuccio and Vertuccio Family Limited Partnership, owners.

Planner: Tom Ellsworth

Staff Recommendation: Approval with conditions

Summary: This case was on the consent agenda and therefore was not discussed as a separate individual item.

Vice Chair Astle motioned to approve case ZON19-00507 with conditions of approval to include updated conditions provided at the April 8, 2020 study session: 1) the removal of conditions #5; and, 2) the addition to condition #10 to state "The compliance agreement must be executed prior to the City Council's consideration". The motion was seconded by Boardmember Sarkissian.

That: The Board recommends the approval of case ZON19-00507 conditioned upon:

1. Compliance with the site plan and landscape plan submitted dated 2-10-2020.
2. Compliance with the City of Mesa Zoning Ordinance, except the development standards modified in Table 1 of the staff report with staff's recommendations.
3. No later than 60 days of the date the zoning ordinance is adopted, the applicant must submit a Design Review application (i.e. final architecture designs and themes) showing compliance with the City's Design Standards for the site.
4. Compliance with all requirements of Design Review.
5. All off-site improvements and street frontage landscaping must be installed within 6 months from the date the zoning ordinance is adopted.
6. Remove the outdoor storage associated with the pottery sale building within 6 months from the date the zoning ordinance is adopted.
7. Prior to the issuance of a building permit non-conforming signs must be brought into conformance and prohibited signs must be removed.
8. Compliance with all City development codes and regulations.
9. Applicant must enter into a compliance agreement with the City to retrofit certain building and structures to meet current building code requirements and address any other compliance issues on the site. The compliance agreement must be executed prior to City Council's consideration.
10. 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 a subdivision plat, or at the time of the City's request for dedication, whichever comes first.
11. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner shall execute and record the City's standard Avigation Easement and Release for Phoenix Mesa Gateway Airport prior to the issuance of a building permit.
 - b. Any proposed permanent or temporary structure 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. An FAA determination notice of no hazard to air navigation shall accompany any building permit application for the property.

MINUTES OF THE APRIL 8, 2020 PLANNING & ZONING MEETING

- c. Prior to the issuance of a building permit, provide documentation that a registered professional engineer or registered professional architect has certified that noise attenuation measures have been incorporated into the design and construction of the buildings to achieve a noise level reduction to 45 decibels as specified 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.

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

AYES – Dahlke, Astle, Sarkissian, Boyle, Allen, Crockett and Villanueva-Saucedo

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