

MINUTES OF THE SEPTEMBER 8, 2021 PLANNING & ZONING MEETING

- *3-b ZON21-00397 District 6.** Within the 6900 to 7200 blocks of East Hampton Avenue (south side) and within the 1500 block of South Clearview Avenue (west side). Located south of Southern Avenue and east of Power Road. (17.5± acres). Rezone from Limited Commercial with a Planned Area Development Overlay (LC-PAD) to Limited Commercial with a Planned Area Development Overlay (LC-PAD-PAD); Council Use Permit and Site Plan Review. This request will allow for a multiple residence development. Brennan Ray, Burch & Cracchiolo, PLC, applicant; Mesa Pavilions Retail LLC & GFI-Mesa Investments Limited Partnership, owner.

Planner: Cassidy Welch

Staff Recommendation: Approval with conditions

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

Boardmember Boyle motioned to approve case ZON21-00397 with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON20-00397 conditioned upon:

1. Compliance with the final site plan and wall plan submitted.
2. Compliance with all requirements of Design Review.
3. Prior to the issuance of a building permit, record a new subdivision plat for the subject parcels.
4. Compliance with all requirements of the Subdivision Regulations.
5. 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. 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.
 - c. Provide written notice to future property owners that the project is within 5 mile(s) of Phoenix-Mesa Gateway Airport.
 - d. 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. If required, an FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.
 - e. All final subdivision plats and leasing offices shall include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which shall 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."
6. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with the PAD overlay and shown in the

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following table:

MZO Development Standards	Approved
<u>Maximum Building Height</u> – MZO Section 11-6-3	58 feet
<u>Building Setbacks</u> – MZO Section 11-6-3 - Interior Side and Rear, Adjacent to Non-residential District, 1-story (west property line) - Interior Side and Rear, Adjacent to Non-residential District, 1-story (east property line)	10 feet 10 feet
<u>Required Landscape Yards</u> – MZO Section 11-33-3(B)(2)(a) -Non-single residence uses adjacent to non-residential districts and/or uses - North interior property line - West property line - South property line - East property line	7.5 feet 8 feet 5 feet 10 feet
<u>Required Parking Spaces</u> – MZO Section 11-32-3(A) - Multiple Residence	1.57 spaces per unit
<u>Maximum Fence Height</u> – MZO Section 11-30-4(B)(1)(a) - Fence or freestanding wall within or along the exterior boundary of the required front yard	6 feet

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Vote: 6-0 Approval with conditions (Vice Chair Villanueva-Saucedo, absent)

Upon tabulation of vote, it showed:

AYES – Sarkissian, Boyle, Allen, Crockett, Ayers and Peterson

NAYS – None

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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