

Minor General Plan Amendment (GPA-20-01)

Approval of an amendment to the Town of Paradise Valley General Plan from "Public/Quasi Public" to "Low Density Residential" for the 1.0-net acre property.

No stipulations, effective date is the same as Rezoning (MI-20-03)

Rezoning (MI-20-03)

Approval a rezoning from "Special Use Permit - Religious Facility" to "R-43 Single-Family Residential District" for the 1.0-net acre area; subject to the following stipulations:

1. This rezoning shall apply to the property as described on the land legally described as that portion of the Southwest quarter of Section 3, Township 2 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County; Arizona, more particularly described on Exhibit "A," attached hereto (the "Property") from "Special Use Permit - Religious Facility" to "R-43 Single-Family Residential District".
2. The Minor General Plan Amendment from "Public/Quasi Public" to "Low Density Residential" designation for the 1.0-net acre area (GPA-20-01), Minor Special Use Permit to allow for the reduction of the church property zoned "Special Use Permit - Religious Facility" (SUP-20-07), and the Non-Administrative Lot Modification to plat the single-family lot (RP-20-01) shall also be approved by the Town.
3. Development of the Property shall comply with all applicable Federal, State of Arizona, and Town Ordinances, including the Zoning Ordinance and obtaining necessary building permits, as such requirements may be amended, for this R-43 Single-Family District property.
4. The property owner and Town shall sign and record a Waiver of Rights and Remedies agreement under A.R.S. § 12-1134 (Proposition 207 Waiver) in the form provided by the Town Attorney within 10 calendar days of the effective date of this ordinance.

Approval of the reduction of area zoned "Special Use Permit- Religious Facilities, Private Schools, Non-Profit Organizations, and Public/Quasi Public Structures," specifically for religious purposes and such other uses as are reasonably related to the functions of the church for the Property from 6.3-net acres to 5.3-net acres; subject to the following stipulations:

1. All improvements shall be in substantial compliance with the following:
 - a) The application and narrative received on December 8, 2020;
 - b) The ALTA/NSPS Land Title Survey prepared by Land Development Group, date sealed by James B. Flack on March 15, 2020;
 - c) Special Use Permit Amendment Site Plan prepared by Land Development Group, date sealed by Nickola J. Prodanov on January 30, 2021;
 - d) Preliminary Grading & Drainage Plan for Lot 1A, Sheet C-1 for Lot 1A prepared by Land Development Group, date sealed by Nickola J. Prodanov on January 30, 2021; and
 - e) The Planting Plan for the 40-foot wide buffer area on the church property adjoining the north and east side of Lot 1B as shown on Meadowlark Acres II, Sheet L.1, prepared by DynaSCAPE, dated February 6, 2021 and received by the Town dated March 3, 2021. Walls along the church property shall comply with Article XXIV, Walls and Fences, of the Town Zoning Ordinance, as may be amended (allows for walls between a residential property and an adjoining non-residential property, other than a right-of-way, up to 8-feet tall).
2. The remaining church property shall be brought into compliance with the current Town's Storm Water Design Manual requirements for storm water retention as shown on the Preliminary Grading & Drainage Plan referenced in Stipulation 1, with the completion of these improvements *[prior to recordation of the plat map for the Non-Administrative Lot Modification (RP-20-01) or may want to consider within a period of time after the effective date of the rezoning (if the church needs the funds from the sale to make the drainage improvements)]*.
3. The Owner shall improve the landscaping on the church site so it is in substantial compliance with the Landscape Plan dated May 28, 2002, prepared by Laskin and Assoc., Inc-sheets LA-1 to LA-6, *[prior to recordation of the plat map for the Non-Administrative Lot Modification (RP-20-01) or may want to consider within a period of time after the effective date of the rezoning (if the church needs the funds from the sale to make the drainage improvements)]*.
4. The property owner and Town shall sign and record a Waiver of Rights and Remedies agreement under A.R.S. § 12-1134 (Proposition 207 Waiver) in the form provided by the Town Attorney within 10 calendar days of the effective date of this amendment to the Special Use Permit.

5. The effective date of SUP-20-07 shall be the same as the effective date of Ordinance 2021-02 that changes the zoning of the one-net acre property from "Special Use Permit - Religious Facility" to "R-43 Single-Family Residential District."
6. All existing Special Use Permit stipulations for Ascension Lutheran Church shall remain in full force and effect, unless changed or modified by this Minor SUP Amendment (SUP-20-07).

Non-Administrative Land Modification (RP-20-01)

Approval of a non-administrative lot modification to plat map the 1.0-net acre lot for single-family use and the 5.3-net acre lot for continued church use; subject to the following stipulations:

1. The plat map must be recorded with the Maricopa County Recorder's Office, in substantial compliance with the "Meadowlark Acres II" plan prepared by Land Development Group, date sealed by James Flack on January 30, 2021.
2. The property owner(s) or designee(s) of Lot 1B (single-family lot) shall demonstrate that the fire sprinkler system is in compliance with the National Fire Protection Association standard 13D or the current equivalent code requirement.
3. The property owner(s) or designee(s) of Lot 1B (single-family lot) shall provide a final grading and drainage plan with the building permit for the home that is in general compliance with the Preliminary Grading & Drainage Plan for Lot 1B, Sheet C-1 for Lot 1A prepared by Land Development Group, date sealed by Nickola J. Prodanov on January 30, 2021
4. Within 60 days of approval of the plat map, the applicant shall submit Mylars and an electronic version in a pdf format for the Town's permanent record.