

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20090326920 04/13/2009 04:20
ELECTRONIC RECORDING
ORDINANCE610-8-1-1--,N

When recorded, return to:
Paradise Valley Town Attorney
6401 East Lincoln Drive
Paradise Valley, Arizona 85253

ORDINANCE NUMBER 610

AN ORDINANCE OF THE TOWN OF PARADISE VALLEY,
ARIZONA, AMENDING THE SPECIAL USE PERMIT FOR
CHRIST CHURCH, 4015 EAST LINCOLN DRIVE, AND
THE ZONING MAP OF THE TOWN OF PARADISE
VALLEY, PROVIDING FOR THE ADDITION OF GRADES
1-4 AND INCREASING THE MAXIMUM DAILY
ENROLLMENT TO 168 STUDENTS, PROVIDING FOR
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE
DATE.

WHEREAS, the Town of Paradise Valley Planning Commission held a public hearing on March 3, 2009, in the manner prescribed by law, for the purpose of considering an amendment to the Special Use Permit for Christ Church School, and recommended approval to the Town Council; and

WHEREAS, the Town Council at its meeting of March 26, 2009, held a public hearing as prescribed by law to hear the amendment to the Special Use Permit and take action on the amendment to the Special Use Permit as recommended by the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA THAT:

SECTION 1. Amendment to the Special Use Permit. This Special Use Permit is approved for a parcel of land, as described in Exhibit A (the "Property"), which hereby supersedes and replaces all prior Special Use Permits for the Property and which allows for the use of the Property as a church and school, consistent with the provisions of the Special Use Permit and stipulations there thereto attached as Exhibit B hereto. The changes in uses and improvements now permitted by the approval of the Special Use Permit attached as Exhibit B include the addition of grades first through fourth and the addition of an unlighted game court, said new uses and improvements subject to the stipulations set forth in Exhibit B. Further, the Zoning District Map is hereby amended to reflect this rezoning, as indicated on Exhibit C, Supplemental Zoning District Map. The proposed amendment is in accordance with Section 1102 of the Town Zoning Ordinance, specifically:

- It is authorized in the Town's adopted general plan, as amended
- It will not be detrimental to, interfere with or adversely affect existing uses or character of adjacent properties, persons residing or working in the vicinity, the neighborhood, the

1 public health, safety, peace, comfort, and general welfare, or the purpose of the zone in
2 which it is proposed, and

- 3 • It will be in full conformity to any conditions, requirements, or standards prescribed in
4 the permit, in the zoning ordinance, and the ordinances of the town.

5
6 SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this
7 ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction,
8 such portion shall be deemed a separate, distinct, and independent provision and such holding
9 shall not affect the validity of the remaining portions thereof.

10
11 SECTION 4. Effective Date. This ordinance shall become effective at the time and in the
12 manner prescribed by law.

13
14 PASSED AND ADOPTED by the Mayor and Town Council of the Town of Paradise Valley,
15 Arizona, this 26th day of March 2009.

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19 _____
20 Vernon Parker, Mayor

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23 SIGNED AND ATTESTED TO THIS 13th DAY OF April 2009.

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28 Duncan Miller, Town Clerk

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31 APPROVED AS TO FORM:

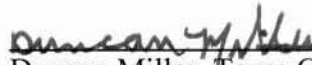
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35 _____
36 Andrew Miller, Town Attorney

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5 **CERTIFICATION**
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7 I, Duncan Miller, Town Clerk, certify that this is a correct copy of Ordinance Number 610 duly
8 adopted by the Town Council of Paradise Valley at a meeting held on the 26th day of March,
9 2009. This Ordinance appears in the minutes of the meeting and has not been rescinded or
10 modified and is now in effect. I further certify that the municipal corporation is duly organized
11 and existing, and has the power to take the action called for by the foregoing ordinance.
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Duncan Miller, Town Clerk

**EXHIBIT A
TO
ORDINANCE NUMBER 610**

[Legal Description of Property]

The Northwest quarter of Lot 1 of the Southwest quarter of Section 7, Township 2 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except the East 50 feet thereof.

**EXHIBIT B
TO
ORDINANCE NUMBER 610**

**TOWN OF PARADISE VALLEY
SPECIAL USE PERMIT FOR CHRIST CHURCH SCHOOL
SUP-08-7**

I. PROJECT DESCRIPTION

Pursuant to Article XI of the Zoning Ordinance of the Town of Paradise Valley, Arizona ("Town"), the Town hereby grants to Christ Church, its successors and assigns (collectively, the "Owner"), this major amendment to the prior Special Use Permit governing the use of the real property described below (the "Property"). This amendment shall be effective as of the date of approval by the Town Council (the "Approval Date").

The Property subject to this Special Use Permit is currently owned by the Owner and consists of approximately 9.2992 acres located at the southeast corner of 40th Place and Lincoln Drive in the Town, more particularly described in Exhibit A. This amendment is referred to throughout as "this Special Use Permit" to distinguish it from the prior Special Use Permit governing the use of the Property. The Town issued its first Special Use Permit for the Property in 2001. This Special Use Permit is being granted by the Town to permit the continued use and operation of the Property as a church and school subject to and in accordance with these stipulations.

II. STIPULATIONS

1. The real property ("Property") subject to this Special Use Permit is located in the Town of Paradise Valley, Maricopa County, Arizona, at 4015 East Lincoln Drive, Paradise Valley, Arizona, and is more particularly described as follows:

The Northwest quarter of Lot 1 of the Southwest quarter of Section 7, Township 2 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except the East 50 feet thereof.

2. SUP-08-7 shall supercede all previous Special Use Permits issued for the subject property:
 - a. The Special Use permit approved on July 26, 1973; as amended May 9, 1974, recorded in Docket 11634, pages 839-840, Maricopa County Recorder (M.C.R.); as amended August 12, 1976, recorded in Docket 11852, pages 24-27, M.C.R., as amended September 8, 1977, recorded in Docket 12447, pages 1435-1436, M.C.R.; as amended July 9, 1991, instrument number 91 319976, as amended October 8, 1996, instrument number 96-0718690;
 - b. The minor amendment to the Special Use Permit approved on September 10, 1992.
 - c. The amendment to the Special Use Permit approved on August 28, 1997.
 - d. The amendment to the Special Use Permit approved on April 27, 2000.
 - e. The amendment to the Special Use Permit approved on October 26, 2000.

- f. The amendment to the Special Use Permit approved on September 20, 2001.
 - g. The minor amendment to the Special Use Permit approved July 19, 2005.
3. The Special Use Permit for the proposed amendment shall be in full compliance with all plans and accompanying submittal documents, including:
 - a. The Site Plan prepared by CCBG Architects, Inc., dated June 5, 2001.
 - b. The Building Plans and Misc. Elevations prepared by CCBG Architects, Inc., dated June 27, 2001.
 - c. The Elevation Plans prepared by CCBG Architects, Inc., dated June 5, 2001.
 - d. The Site Lighting Plan prepared by Visual, dated June 27, 2001.
 - e. The Grading and Drainage Plan prepared by Fleet Fisher Engineering, dated May 10, 2001.
 - f. The Landscape Plan prepared by Greey/Pickett, pages L3.1, L3.2, L7.1, L8.1, dated June 5, 2001.
 4. The property may be used for a church and school only, and no changes, expansions, additions, or alterations to the Property or Improvements thereon shall be allowed without an express written amendment to this Special Use Permit.
 5. The use of the Property shall at all times conform to all applicable State laws and Town ordinances.
 6. Should the property be used or developed in a manner inconsistent with the terms of this Special Use Permit, the Town Council may terminate the Permit in its entirety.
 7. This Special Use Permit shall be binding on the Grantee, its assigns, or successors in interest.
 8. If part of this Special Use Permit is for any reason held invalid by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining parts.
 9. A Mylar of the subject Church's master site plan depicting all on-site buildings, improvements, or other developments approved as a part of the subject Special Use Permit shall be submitted to the Town within thirty (30) days of the Council approval of the subject SUP-01-5.
 10. There shall be a 10:00 p.m. curfew on the site lighting with the exception of Christmas Eve and five other evenings. In addition, lights may be maintained on the state and national flags at night, as well as a light above the office door, lights in the memorial garden fountain, low-level landscape lighting along the drives at the Lincoln and 40th Place entrances, and other lighting approved by the Town necessary to provide for safety and security.
 11. All volleyball court lights and new parking lot lights shall be shielded and comply with Section 1023 of the Paradise Valley Zoning Ordinance.

12. The applicant shall terminate operation of the wireless service facility should it interfere with any emergency radio frequency.
13. All sound amplification devices shall be prohibited outside of all buildings.
14. The applicant shall provide plans to the Town for the striping of 40th Place at applicant's expense. The plans shall provide an inbound lane and an outbound left turn lane as well as an outbound right turn lane. The Town shall approve the plans and the striping shall be completed prior to the issuance of a Certificate of Occupancy.
15. The applicant shall dedicate a drainage easement to the Town prior to the issuance of any building permit for this project.
16. The use of the Property for a pre-school and related accessory uses shall be subject to the following stipulations:
 - a. The pre-school shall be limited to one session per day.
 - b. The pre-school shall have staggered start hours and staggered finish hours of a minimum of one half hour to lessen the number of vehicular trips, with no more than 75 pre-school students to start at any one time.
 - c. The pre-school may offer various schedule options, including, but not limited to; two day, three day, four day, and five day programs. The total number of pre-school children enrolled in all the various schedule programs may exceed one hundred and twelve (112) children, but the total daily enrollment shall be limited to a maximum of one hundred and twelve (112) children pre-school children. For enrollment count, part day pre-school students shall be considered the same as all day students.
 - d. The pre-school sessions shall be held between 7:30 am to 5:30 pm, Monday through Friday.
 - e. The pre-school may operate no more than five (5) days a week, Monday through Friday, with no school hours on Saturday and Sunday.
17. The maximum enrollment of 1st, 2nd, 3rd and 4th grades shall be 14 students per grade and the maximum school enrollment shall not exceed 168 students.
18. One, unlighted 44' x 60' (maximum) game court will be allowed in the area directly south of the existing rector's hall provided the Town Engineer approves the location of the game court in relation to the existing wash.
19. Upon completion of the school expansion to include grades 1 through 4 and when the school is at 90% enrollment, the applicant shall submit a traffic report to the Town assessing the conditions on 40th Place and Lincoln Drive. If the report determines the maximum number of cars exiting the Christ Church School site onto 40th Place on a typical school day between the hours of 7:30 am – 9:30 am exceeds 101 as noted in the Traffic Impact Statement prepared by Civtech, dated December 24, 2008 the Town may require the school to do one of the following:
 - a. Further stagger class start times;
 - b. Widen the west side of 40th Place to create an additional 50-feet of queue storage for the northbound left turning vehicles on 40th Place; or
 - c. Revise the traffic circulation pattern at the church to allow traffic to both ingress and egress on Lincoln Drive at the main entrance.

Exhibit C – Supplemental Zoning District Map

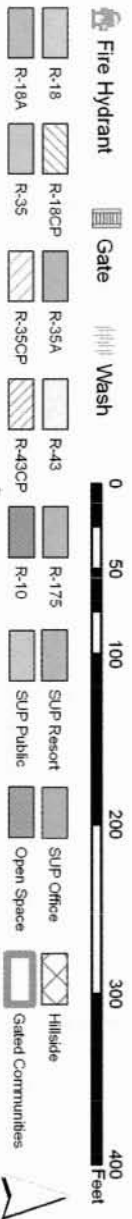
This document is on file at the Town Clerk's Office

**Town of Paradise Valley
6401 E. Lincoln Drive
Paradise Valley, AZ 85253
480-948-7411**

Exhibit C - Supplemental Zoning District Map



SUP-08-7
ORD. NO. 610



LEGAL DESCRIPTION

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PROPERTY OWNERS

VICINITY MAP
7777 East Main Street, Apt. 302
Scottsdale, Arizona 85251



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SECRET

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

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