



Action Summary

Planning Commission

Commissioner Thomas G. Campbell
Commissioner Charles Covington
Commissioner Pamela Georgelos
Commissioner Orme Lewis
Commissioner Karen Liepmann
Commissioner William Nassikas
Commissioner James Rose

Tuesday, April 6, 2021

6:00 PM

Council Chambers

**IN-PERSON ATTENDANCE AT PUBLIC MEETINGS HAS BEEN SUSPENDED UNTIL FURTHER NOTICE. WATCH LIVE STREAMED MEETINGS AT:
<https://paradisevalleyaz.legistar.com/Calendar.aspx>**

1. CALL TO ORDER

2. ROLL CALL

Present 6 - Commissioner Thomas G. Campbell
Commissioner Charles Covington
Commissioner Pamela Georgelos
Commissioner Karen Liepmann
Commissioner William Nassikas
Commissioner James Rose

Absent 1 - Commissioner Orme Lewis

3. EXECUTIVE SESSION

4. STAFF REPORTS

A. [21-131](#) **Staff Update: 2022 General Plan Update**
No Reportable Action

5. PUBLIC HEARINGS

A. [21-122](#) **Recommendation of Resolution 2021-03, a Minor General Plan Amendment of one acre from Public/Quasi Public to Low Density Residential**
Ascension Lutheran Church, 7100 N Mockingbird Lane
A motion was made by Commissioner Campbell, seconded by Commissioner Covington, to forward to the Town Council a recommendation for approval of

Resolution 2021-03, a Minor General Plan Amendment from “Public/Quasi Public” to “Low Density Residential” designation for the 1.0-net acre area, with an effective date that is the same as the rezoning of Ordinance No. 2021-02. The motion carried by the following vote:

Aye: 6 - Commissioner Campbell, Commissioner Covington, Commissioner Georgelos, Commissioner Liepmann, Commissioner Nassikas and Commissioner Rose

Absent: 1 - Commissioner Lewis

B. [21-123](#) Recommendation of Ordinance 2021-02, Rezoning of one acre from SUP to R-43 Ascension Lutheran Church, 7100 N Mockingbird Lane

A motion was made by Commissioner Georgelos, seconded by Commissioner Nassikas, to forward to the Town Council a recommendation for approval of Ordinance No. 2021-02, a Rezoning from “Special Use Permit - Religious Facility” to “R-43 Single-Family Residential District” for the 1.0-net acre area, with the two conditions and effective date as described in said ordinance.

1. 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.

2. 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 passage of this ordinance.

The motion carried by the following vote:

Aye: 6 - Commissioner Campbell, Commissioner Covington, Commissioner Georgelos, Commissioner Liepmann, Commissioner Nassikas and Commissioner Rose

Absent: 1 - Commissioner Lewis

C. [21-124](#) Consideration of a Minor SUP Amendment to Reduce Site Area Ascension Lutheran Church, 7100 N Mockingbird Lane

A motion was made by Commissioner Covington, seconded by Commissioner Georgelos, to deem the request to reduce the size of the Ascension Lutheran Church property from 6.3-net acres to 5.3-net acres as a Minor Amendment per the criteria listed in Section 1102.7.B of the Zoning Ordinance. The motion carried by the following vote:

Aye: 6 - Commissioner Campbell, Commissioner Covington, Commissioner Georgelos, Commissioner Liepmann, Commissioner Nassikas and Commissioner Rose

Absent: 1 - Commissioner Lewis

A motion was made by Commissioner Campbell, seconded by Commissioner Georgelos, to approve the request to reduce the size of the Ascension Lutheran Church property from 6.3-net acres to 5.3-net acres, subject to the following conditions of approval:

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 reviewed by the Town dated March 23, 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 within 12 months of a grading permit on the residential lot and no later than 18 months from the effective date of the Rezoning (MI-20-03) of Ordinance No 2021-02.

3. The Planting Plan referenced in Stipulation 1 shall be completed within 12 months of a grading permit on the residential lot and no later than 18 months from the effective date of the Rezoning (MI-20-03) of Ordinance No 2021-02.

4. 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, within 12 months of a grading permit on the residential lot and no later than 18 months from the effective date of the Rezoning (MI-20-03) of Ordinance No 2021-02. The Certificate of Occupancy will not be issued by the Town until the landscaping conforms to the May 2002 approved landscape plan. The Owner must notify the buyer of Lot 1B of this condition.

5. 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.

6. 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."

7. 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).

The motion carried by the following vote:

Aye: 6 - Commissioner Campbell, Commissioner Covington, Commissioner Georgelos, Commissioner Liepmann, Commissioner Nassikas and Commissioner Rose

Absent: 1 - Commissioner Lewis

6. ACTION ITEMS

**A. [21-125](#) Recommendation of a Non-Administrative Land Modification
Ascension Lutheran Church, 7100 N Mockingbird Lane**

A motion was made by Commissioner Georgelos, seconded by Commissioner Covington, to forward to the Town Council a recommendation for approval of the non-administrative land 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 conditions of approval:

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.

The motion carried by the following vote:

Aye: 6 - Commissioner Campbell, Commissioner Covington, Commissioner Georgelos, Commissioner Liepmann, Commissioner Nassikas and Commissioner Rose

Absent: 1 - Commissioner Lewis

B. [21-114](#) Selection of Chairperson per Section 2-5-2 of the Town Code

Item 21-114 was moved to the start of the meeting. A motion was made by Commissioner Covington, seconded by Commissioner Campbell, to nominate Commissioner Rose as the Planning Commission chairperson. Town Council will confirm the nomination at a future Council meeting. The motion carried by the following vote:

Aye: 6 - Commissioner Campbell, Commissioner Covington, Commissioner Georgelos, Commissioner Liepmann, Commissioner Nassikas and Commissioner Rose

Absent: 1 - Commissioner Lewis

7. STUDY SESSION ITEMS

A. [21-136](#) Discussion of Building Pad Heights for Non-Hillside Lots

No Reportable Action

B. [21-141](#) Discussion of Regulations for Walls / View Fences / Combination View Fences

No Reportable Action

8. CONSENT AGENDA

A. [21-088](#) Approval of the February 16, 2021 Planning Commission Minutes

A motion was made by Commissioner Campbell, seconded by Commissioner Covington, to approve the February 16, 2021 minutes. The motion carried by the following vote:

Aye: 6 - Commissioner Campbell, Commissioner Covington, Commissioner Georgelos, Commissioner Liepmann, Commissioner Nassikas and Commissioner Rose

Absent: 1 - Commissioner Lewis

B. [21-132](#) Approval of the March 16, 2021 Planning Commission Minutes

A motion was made by Commissioner Campbell, seconded by Commissioner Georgelos, to approve the March 16, 2021 minutes with two edits. Edit one to strike "parking" in the second paragraph on page 3 and to change committee to Commission in the statement from Commissioner Campbell on page 7. The motion carried by the following vote:

Aye: 6 - Commissioner Campbell, Commissioner Covington, Commissioner Georgelos, Commissioner Liepmann, Commissioner Nassikas and Commissioner Rose

Absent: 1 - Commissioner Lewis

9. PUBLIC BODY REPORTS

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

A motion was made by Commissioner Georgelos at 8:25 p.m., seconded by Commissioner Covington, to adjourn the meeting. The motion carried by the following vote:

Aye: 6 - Commissioner Campbell, Commissioner Covington, Commissioner Georgelos, Commissioner Liepmann, Commissioner Nassikas and Commissioner Rose

Absent: 1 - Commissioner Lewis