



STAFF REPORT

TO: Mayor Bien-Willner and Town Council Members

FROM: Jill Keimach, Town Manager
Lisa Collins, Community Development Director
Paul Michaud, Planning Manager

DATE: April 22, 2021

DEPARTMENT: Community Development Department – Planning Division
Paul Michaud, 480-348-3574

AGENDA TITLE: Discussion of a Minor General Plan Amendment (GPA-20-01), a Rezoning (MI-20-03), and a non-administrative land modification (RP-20-01) to create a Single-Family R-43 Lot Ascension Lutheran Church, 7100 N Mockingbird Lane

SUMMARY STATEMENT:

Request

Ascension Lutheran Church, Inc., an Arizona Corporation, located at 7100 N Mockingbird Lane (Parcel No. 174-51-033) is requesting approval of several applications to establish a 1.0-net acre R-43 single-family residential lot at the southwest portion of the 6.3-net acre church property. These applications include a Minor General Plan Amendment from “Public/Quasi Public” to “Low Density Residential” designation for the 1.0-net acre area (GPA-20-01), a rezoning from “Special Use Permit - Religious Facility” to “R-43 Single-Family Residential District” for the 1.0-net acre area (MI-20-03), a Minor Special Use Permit to allow for the reduction of the church property zoned “Special Use Permit - Religious Facility” (SUP-20-07), and a non-administrative land modification to plat the single-family lot (RP-20-01).

The Minor General Plan Amendment and Rezoning modify the one-acre area proposed for the single-family lot. The Planning Commission makes a recommendation to Council, and Council takes final action on these legislative requests. The Minor Special Use Permit only alters the church site. The Planning Commission takes final action on this administrative act, unless a person appeals this decision within 15 calendar days from the Planning Commission hearing (April 21, 2021) that would require Council action. The non-administrative land modification impacts the entire site. The Town Code requires Council review and approval of the land modification due to the church’s Special Use Permit zoning. The Planning Commission review was a courtesy since the request included other applications.



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Planning Commission Recommendation

The Planning Commission forwarded a unanimous recommendation of approval (6 to 0) to the Council on the above-noted three applications for the creation of a one-acre single-family residential lot from the church property at their public hearing held on April 6, 2020. The Planning Commission also unanimously approved (6 to 0) the Minor Special Use Permit to allow for the reduction of the church property from 6.3-net acres to 5.3-net acres. Attachment K includes the draft resolution for the General Plan Amendment, draft ordinance for the Rezoning, recommended conditions for the Non-Administrative Land Modification, and the Planning Commission approved conditions for the Minor Special Use Permit for Council information.

The Planning Commission discussed these application requests at its February 16, 2021 and March 16, 2021 work sessions. The following were the main discussion points during the Planning Commission review. Verification that there are no church overflow parking requirements over the area proposed for the single-family lot (which there are none). Review of the proposed landscape buffer plan adjoining the proposed residential lot to ensure sufficient trees north and east of the proposed lot (which is reflected in the approved 2021 Planting Plan with the Minor Special Use Permit Amendment). A condition of approval with the Minor Special Use Permit that the church site be brought back into compliance with its last approved landscape plan from 2002 as several trees and shrubs are no longer on the site. Condition 4 of the Minor Special Use Permit Amendment approval requires this 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. 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. The Minor Special Use Permit also requires drainage improvements on the church property (i.e., three retention basins and removal of rocks along Hummingbird Lane) 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.

Background

Refer to the Attachment E, Background, on how the application requests meet applicable criteria, compliance to code/guidelines, and other related background information.



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Comments & Noticing

The applicant held their required Citizen Review Session (neighborhood meeting) on March 1, 2021. There were two residents that attended. Neither of the attendees had issue with the creation of the single-family lot.

The Town Code and/or policy is for mailing notice to property owners within 1,500 feet of the subject site and a newspaper advertisement at least 15 days prior to any meeting action is taken for all the requested applications (except for the non-administrative land modification requiring by policy only a mailing notification to property owners within 500 feet). Noticing of all the four application requests followed the rezoning noticing procedures since the four application processes are concurrent. Noticing will be required for the action meeting by Council.

Next Steps

Unless directed otherwise, Council action for the Minor General Plan Amendment, Rezoning, and Non-Administrative Land Modification is scheduled for the Council meeting on May 27, 2021.

BUDGETARY IMPACT:

There are no direct Town budget impacts associated with the application requests.

ATTACHMENT(S):

- A. Staff Report
- B. Vicinity Map (Aerial/General Plan/Zoning)
- C. Application - Narrative
- D. SUP History
- E. Background
- F. Water-Utility Information
- G. ALTA & Proposed Maps
- H. Landscaping
- I. Noticing
- J. Minutes
- K. Resolution - Ordinance – Conditions
- L. Presentation