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Ordinance No. 4249 (2-ZN-2016)

City Council Hearing 05/03/2016

2-ZN-2016

Assumption Greek Orthodox Church

Approved Minutes can be found at:
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Ordinance No. 4249 (2-ZN-2016)

City Council Hearing 05/03/2016

2-ZN-2016

Assumption Greek Orthodox Church

# CITY COUNCIL REPORT

Meeting Date: May 3, 2016
General Plan Element: *Neighborhoods*
General Plan Goal: *Encourage context-appropriate development*

## ACTION

**Assumption Greek Orthodox Church**
**2-ZN-2016**

**Request to consider the following:**

Adopt Ordinance No. 4249 approving a Zoning District Map Amendment to amend and modify the stipulations of previous zoning cases 26-ZN-1988 and 26-ZN-1988#2, including to allow for additional building height, for a 6 +/- acre site located at 8202 E. Cactus Road with Single-family Residential (R1-35) and Parking P-2; Passenger Vehicle Parking (P-2) zoning.

### Key Items for Consideration

- Amendment to allowable building height would align proposed fellowship hall with current requirements for places of worship
- Amendment clarifies development requirements for church site moving forward
- Staff has received input in opposition to proposed building height changes
- Planning Commission heard this case on March 23, 2016 and recommended approval with a 5-0 vote

## OWNER

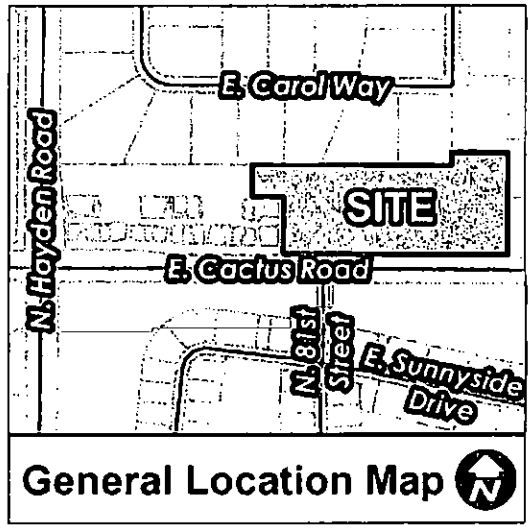
Assumption Greek Church
480-991-3717

## APPLICANT CONTACT

Matt Personne
Catclar Investments
480-473-3700

## LOCATION

8202 E. Cactus Road




Action Taken _____

## BACKGROUND

### General Plan

The General Plan Land Use Element designates the property as Rural Neighborhoods. This category includes areas of relatively large lot single-family neighborhoods.

### Zoning

The site is zoned Single-family Residential (R1-35) and Parking P-2; Passenger Vehicle Parking (P-2). The R1-35 zoning district is intended to promote and preserve residential development and uses incidental or accessory thereto, together with required recreational, religious and educational facilities. The P-2 zoning district is intended to provide off-street parking areas.

### Context

The subject property is located on the north side of E. Cactus Road approximately 800 feet east of the intersection of E. Cactus Road and N. Hayden Road and is surrounded by a mix of uses including single-family residential, office and golf course uses. Please refer to context graphics attached.

### Adjacent Uses and Zoning

- North: Existing single-family homes are located north of the site in the Single-family Residential (R1-35) zoning district.
- South: E. Cactus Road abuts the property to the south. An existing golf course and single-family homes are located further south in the Single-family Residential, Planned Residential Development (R1-18 PRD) zoning district.
- East: Existing single-family homes are located east of the site in the Single-family Residential (R1-35) zoning district.
- West: An existing office development is located west of the site in the Service Residential (S-R) and Parking P-2; Passenger Vehicle Parking (P-2) zoning districts.

### Other Related Policies, References:

Scottsdale General Plan 2001, as amended
Zoning Ordinance
26-ZN-1988 – original rezoning of site to current R1-35 & P-2 zoning classifications
16-UP-1988 – original use permit for a church at the subject site
26-ZN-1988#2 – amendment to the timing stipulations of case 26-ZN-1988 (Ordinance No. 2598)

## APPLICANTS PROPOSAL

### Goal/Purpose of Request

The applicant's request is for a Zoning District Map Amendment to amend and modify the stipulations of previous zoning cases 26-ZN-1988 and 26-ZN-1988#2. The amendment to the previous zoning stipulations will permit additional height for the proposed multi-purpose building as well as allow lighting on external hallways of the second floor of the multi-purpose building. It will also clarify the submittal requirements for the Development Review Board submittal for the multi-purpose building.

### Development Information

- Existing Use: Place of worship
- Proposed Use: Place of worship
- Buildings/Description: Existing sanctuary and accessory buildings / new multi-purpose building
- Parcel Size: 6 +/- gross acres / 5.2 +/- net acres
- Building Height Allowed: 38 feet for sanctuary / 25 feet for multi-purpose building
- Building Height Proposed: 38 feet for sanctuary / 30 feet for multi-purpose building
- Parking Required: 304 spaces
- Parking Provided: 311 spaces (198 spaces on site / 113 spaces on adjacent site)
- Open Space Required: 69,945 sf / 1.6 acres
- Open Space Provided: 121,066 sf / 2.8 acres
- Floor Area: 35,526 sf
- FAR Allowed: 0.2
- FAR Proposed: 0.16

## IMPACT ANALYSIS

### Land Use

The applicant's request is to modify three stipulations of the site's prior zoning approvals. During the original rezoning for the present church use on the site and the office use on the accompanying site to the west, the height of the sanctuary and the planned multi-purpose building were stipulated to 38 feet and 25 feet, respectively. The sanctuary was built in the 1990s at the maximum height of 38 feet. The multi-purpose building was not built and now the applicant is seeking to construct the building utilizing a similar design to the original proposal, but with an alteration to the overall height from 25 feet to 30 feet. A Conditional Use Permit (CUP) for the church was also required at the time of the original rezoning approval, but subsequent updates to the Zoning Ordinance has removed the requirement for places of worship to obtain a CUP in single-family residential zoning districts.

The applicant's request would increase the maximum building height for the multi-purpose building on the site from 25 feet to 30 feet. The 30-foot maximum building height requirement is consistent with current Zoning Ordinance requirements for maximum building height of single-family residences and places of worship in single-family residential zoning districts, similar to the R1-35 zoning that the site currently has. Existing single-family residences surrounding the site currently have the ability to build two or three story structures to a maximum height of 30 feet. The proposed amendment to the zoning stipulations of the subject site would allow the proposed multi-purpose building on the site to employ the same maximum building height.

The applicant is also requesting to amend the stipulations of the prior zoning approvals to increase the maximum height at which lighting can be located on the site. As currently stipulated, lighting on the church site cannot exceed a height of 10 feet. The proposed amendment would allow lighting to

be located at the exterior hallways on the second floor of the new multi-purpose building. Those external hallways face the internal courtyard of the proposed building and are not directly visible from the single-family residential homes located north of the site. Although a reduction in mounting height of lighting is often utilized for sites adjacent to sensitive uses, such as single-family residences, the reduced mounting height does require the use of more lighting fixtures to produce adequate lighting coverage than would be used if the mounting height of the lighting fixtures were raised. An increase in the mounting height of light fixtures for the second-floor outdoor hallways will be shielded on three sides by the proposed building.

Finally, the applicant is requesting to clarify the requirements for the Development Review Board submittal of the proposed multi-purpose building. The amendment to the previous stipulation would remove the requirement to submit cross-sections of the proposed site and adjoining residences. The applicant is requesting to follow current submittal requirements with regards to review of the proposed building design by the Development Review Board.

### Airport Vicinity

The site is located within the AC-1 area of the Airport Influence Zones, which allows for the church and ancillary uses. The church is not subject to restrictions but will require the owner of the property to disclose the site's proximity to the Scottsdale Airport to any tenants or users of the buildings on the site.

### Traffic/Trails

The Transportation Department has reviewed the proposed development, including access points and pedestrian circulation. The proposed changes to the zoning stipulations from the existing approvals for the site (26-ZN-1988 & 26-ZN-1988#2) do not alter the existing traffic circulation or access to the site. There is an existing trail located along the north side of E. Cactus Road, adjacent to the site and there are plans to alter that trail location. There is also a planned trail located within the drainage channel that runs north – south at the western side of the site that connects to the subdivision north of the site. The applicant has agreed to dedicate a trail easement for that future trail. There are no anticipated traffic impacts as a result of the proposal.

### Water/Sewer

The City's Water Resources Department has reviewed the applications and finds that there are adequate water and wastewater services for the proposed development.

### Public Safety

The City's public safety departments have reviewed the applications and find that there is adequate ability to provide fire and police services for the proposed use. Overall, the City's emergency and non-emergency activities are continually monitored and tracked to evaluate the effectiveness of our service delivery and also to identify any potential for future public safety resource needs for the community. No impacts are anticipated as a result of the proposed rezoning request.

### Open Space

The proposed development is required to provide a minimum of 30% of the site to be open space. The project is providing this open space in areas along E. Cactus Road, within pedestrian corridors throughout the site and in large open space areas at the eastern side of the site. Another open

space area will be provided within the drainage channel at the western side of the site. The proposed site plan meets all open space requirements.

### Community Involvement

The applicant notified all property owners within 750 feet of the site and held an open house to present the requests on January 25, 2016. The city also notified all property owners within 750 feet of the site. City staff has received letters and phone calls of concern to the proposed request siting concerns of additional height for the multi-purpose building. The applicant submitted an email in support of the request as well. Copies of the applicant's Citizen Review Report and neighborhood correspondence are part of Attachment #6. In addition, at the March 23, 2016 Planning Commission hearing, several residents of the area near the subject site attended the hearing to express concern regarding the proposed request. Copies of that input are provided in Attachment #9.

### Community Impact

The increase in height may slightly obstruct the views to the south of adjacent residences located north of the site. However, the applicant's proposed revision to the height is not requesting any additional height beyond what is currently permitted by-right in the Zoning Ordinance for places of worship in residential zoning districts. The location of the proposed multi-purpose building is as close to E. Cactus Road as is permitted to further reduce the impact of the building to adjacent single-family residential properties. The proposed changes to the maximum height of lighting for the outdoor hallways on the second floor of the proposed multi-purpose building will be screened by the new building on three of the four sides and are not anticipated to negatively affect neighboring properties. Finally, the requested amendments to the Development Review Board submittal requirements would align with the current requirements while ensuring adequate information is presented and reviewed through the Development Review Board process.

## OTHER BOARDS & COMMISSIONS

### Planning Commission

Planning Commission heard this case on March 23, 2016 and recommended approval with a 5-0 vote. Several residents of the area intended to speak in opposition, but did not submit a speaker comment card. Copies of that input are provided in Attachment #9.

### Staff's Recommendation to Planning Commission

Staff recommended that the Planning Commission determine that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan, and make a recommendation to City Council for approval, per the attached stipulations.

## RECOMMENDATION

### Recommended Approach:

Adopt Ordinance No. 4249 approving a Zoning District Map Amendment to amend and modify the stipulations of previous zoning cases 26-ZN-1988 and 26-ZN-1988#2, including to allow for additional building height for a 6 +/- acre site located at 8202 E. Cactus Road with Single-family Residential (R1-35) and Parking P-2; Passenger Vehicle Parking (P-2) zoning.

## RESPONSIBLE DEPARTMENT

**Planning and Development Services**
Current Planning Services

## STAFF CONTACT

Brad Carr, AICP, LEED-AP
Senior Planner
480-312-7713
E-mail: bcarr@ScottsdaleAZ.gov

## APPROVED BY

Brad Carr, AICP, LEED-AP, Report Author — Date: 4.14.2016

Tim Curtis, AICP, Current Planning Director — Date: 4/12/2016
480-312-4210, tcurtis@scottsdaleaz.gov

For Randy Grant, Director — Date: 4/19/2016
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

## ATTACHMENTS

1. Ordinance No. 4249
   Exhibit 1: Stipulations
   Exhibit A to Exhibit 1: Site Plan
   Exhibit 2: Proposed Zoning Map
2. Additional Information
3. Applicant's Narrative
4. Context Aerial

4A. Aerial Close-Up

5. General Plan Conceptual Land Use Map
6. Citizen Review Report and Neighborhood Involvement
7. City Notification Map
8. Stipulations for case 26-ZN-1988#2
9. March 23, 2016 Planning Commission public comment
10. March 23, 2016 Planning Commission Minutes

ORDINANCE NO. 4249

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 2-ZN-2016 TO AMEND AND MODIFY THE STIPULATIONS OF PREVIOUS ZONING CASES 26-ZN-1988 AND 26-ZN-1988#2, FOR A 6 +/- ACRE SITE LOCATED AT 8202 E. CACTUS ROAD WITH SINGLE-FAMILY RESIDENTIAL (R1-35) AND PARKING P-2; PASSENGER VEHICLE PARKING (P-2) ZONING.

WHEREAS, the Planning Commission held a hearing on March 23, 2016;

WHEREAS, the City Council held a hearing on May 3, 2016; and

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 2-ZN-2016.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by modifying the stipulations, including additional building height, of previous zoning cases 26-ZN-1988 and 26-ZN-1988#2 on a 6 +/- acre site located at 8202 E. Cactus Road and marked as "Site" (the Property) on the map attached as Exhibit 2, incorporated herein by reference, with Single-family Residential (R1-35) and Parking P-2; Passenger Vehicle Parking (P-2) zoning.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 1 and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale this ___day of _____, 2016.

ATTEST:

By:_____
Carolyn Jagger
City Clerk

CITY OF SCOTTSDALE, an Arizona Municipal Corporation

By:_____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:_____
Bruce Washburn, City Attorney
By: Joe Padilla, Deputy City Attorney



**ATTACHMENT 1**

# Stipulations for the Zoning Application:
# Assumption Greek Orthodox Church
# Case Number: 2-ZN-2016

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

## GOVERNANCE

1. APPLICABILITY. The stipulations of cases 26-ZN-1988 and 26-ZN-1988#2 continue to apply to the subject site, except as amended below.

## SITE DESIGN

2. CONFORMANCE TO CONCEPTUAL SITE PLAN. Development shall conform with the conceptual site plan submitted by PHX Architecture and with the city staff date of 1/19/2016, attached as Exhibit A to Exhibit 1. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
3. BUILDING HEIGHT LIMITATIONS. The maximum height of the church multi-purpose building shall be thirty (30) feet and the maximum height of the sanctuary shall be thirty-eight (38) feet, measured as provided in the applicable section of the Zoning Ordinance.
4. OUTDOOR LIGHTING. The maximum height of any outdoor lighting source, except any light sources for patios, balconies and/or outdoor hallways on the second floor of the multi-purpose building, shall be 10 feet above the adjacent finished grade.
5. OUTDOOR LIGHTING FOR PATIOS, BALCONIES AND OUTDOOR HALLWAYS. Light sources that are utilized to illuminate patios and/or balconies on the second floor of the multi-purpose building only that are located above 10 feet in height shall be subject to the approval of the Development Review Board.
6. SITE AND BUILDING REVIEW. In lieu of a north-south cross section as required by stipulation #17 of the prior zoning approval, with the Development Review Board submittal for the multi-purpose building, the owner shall submit building elevations and any other documentation required to ensure appropriate review of design of proposed multi-purpose building by adjoining property owners.
7. ADDITIONAL LANDSCAPING. With the Development Review Board submittal, the owner shall provide plans that show additional trees, with a minimum height of 13 feet, to be planted along the south side of the multi-purpose building.

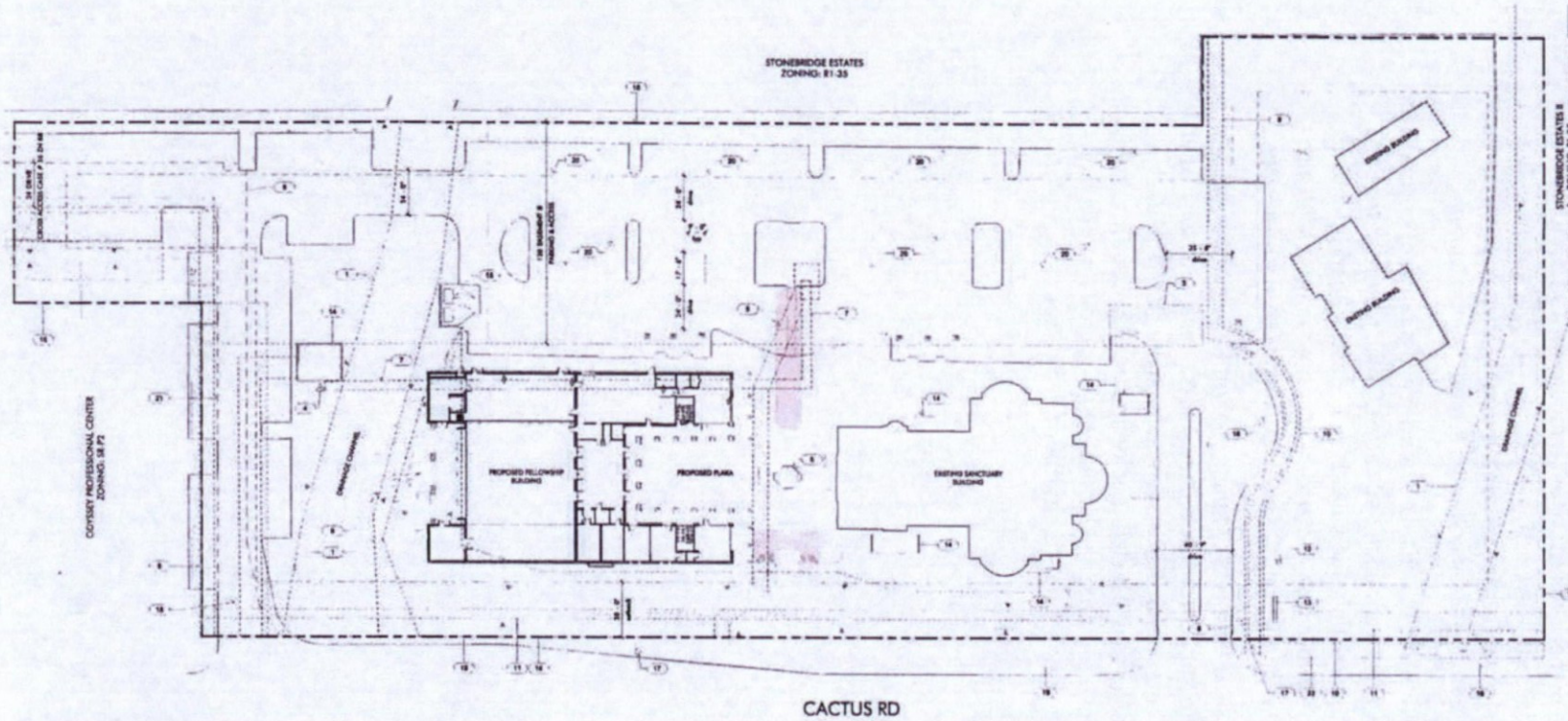
## AIRPORT

8. AIRCRAFT NOISE AND OVERFLIGHT DISCLOSURE. With any Development Review Board submittal for the site, the owner shall provide a copy of the noise disclosure notice that will be provided to occupants, employees and/or students in a form acceptable to the Scottsdale Aviation Director.

9. AVIGATION EASEMENT. With the Development Review Board submittal for the multi-purpose building, the owner shall provide a signed and completed Avigation Easement in a form acceptable to the City for recording.

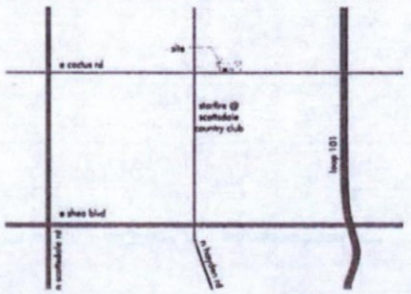
**INFRASTRUCTURE AND DEDICATIONS**

10. MULTI-USE TRAIL – CACTUS ROAD. Before any Certificate of Occupancy is issued for the multi-purpose building on the site, the owner shall construct a minimum 10-foot wide multi-use trail. The trail shall be located adjacent to the existing sidewalk. The alignment of the trail shall be subject to approval by the city's Transportation General Manager, or designee, and shall be designed in conformance with the Design Standards and Policies Manual.
11. MULTI-USE PATH AND TRAIL EASEMENT – CACTUS ROAD. Before any issuance of permit for the multi-purpose building on the site, the owner shall dedicate a Public Non-Motorized Access easement over any portion of the existing sidewalk along E. Cactus Road that is located outside of the right-of-way. The Public Non-Motorized Access easement shall also cover the extents of the new 10-foot wide trail that is located outside of the right-of-way.
12. MULTI-USE TRAIL EASEMENT – WEST SIDE. Before any building permit is issued for the site, the owner shall dedicate a 15-foot wide Public Non-Motorized Access easement for a multi-use trail along the drainage channel located near the western side of the site. The design and landscaping of the parking area shall provide a clear and delineated corridor for the trail crossing. The alignment of the trail and easement shall be subject to approval by the city's Transportation General Manager, or designee, prior to easement dedication.




1 **SITE PLAN**
SCALE: 1" = 30'-0"

NORTH




VICINITY MAP

NORTH

## GENERAL SITE PLAN NOTES

A. REFER TO LANDSCAPE DRAWINGS FOR ALL PLANTED AND LANDSCAPED AREAS
B. REFER TO CIVIL DRAWINGS FOR GRADING, DRAINAGE AND ADDITIONAL TOPOGRAPHIC INFORMATION.
C. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES 6% MINIMUM FOR THE FIRST 10 FEET. AN APPROVED GRADING & DRAINAGE PLAN SHALL BE KEPT ON SITE AT ALL TIMES. DEVIATIONS FROM THE PLAN MUST BE PRECEDED BY AN APPROVED REVISION
D. REFER TO CIVIL FOR UTILITY INFORMATION. CONTRACTOR TO PROVIDE SOIL COMPACTION TEST RESULTS AS REQUIRED TO THE CITY ENGINEER'S OFFICE
E. COORDINATE WITH ALL UTILITY COMPANIES FOR FINAL LOCATION OF METERS, DEVICES, AND ROUTING. CONTRACTOR TO PROVIDE ALL REQUIRED MATERIAL AND LABOR FOR INSTALLATION OF ALL REQUIRED UTILITIES
F. MAINTAIN A MINIMUM DISTURBANCE OF 8/78 DURING CONSTRUCTION.
G. ALL EXCESS FILL SHALL NOT TO BE HAULED AWAY OR DISPOSED OF PER THE OWNERS REQUEST
H. VERIFY WITH THE OWNER THE DEMOLITION OR RELOCATION OF ALL EXISTING LANDSCAPE MATERIALS AND SITE ITEMS PRIOR TO COMMENCEMENT OF NEW CONSTRUCTION.
I. CONTRACTOR SHALL FIELD VERIFY ALL SITE ITEMS AND THE COORDINATION OF NEW CONSTRUCTION WITH ZONING SETBACK REQUIREMENTS. NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES
J. VERIFY ALL GRADES IN FIELD.
K. SEE ELECTRICAL SHEETS FOR SWITCHING OF EXTERIOR ELECTRICAL.
L. SUBGRADE TO BE COMPACTED TO 95% OF MAXIMUM DENSITY WITH CONCRETE SLAB OVER A.B.C. AS SPECIFIED ON THE STRUCTURAL DRAWINGS
M. WATERPROOF ALL ABOVE-GROUND PLANTERS AND RETAINING WALLS
N. ALL MECHANICAL EQUIPMENT SHALL BE SCREENED, 100-SYMC APPLICABLE, A MINIMUM OF 1'-0" HIGHER THAN THE HIGHEST PORTION OF THE EQUIPMENT, AND SHALL MATCH THE ADJACENT BUILDING MATERIAL
O. USE A NATURAL PLACEMENT OF STONES HARVESTED FROM THE SITE AND INTERSPERSE WITH APPROPRIATE VEGETATION. THE STONES SHOULD NOT BE PILED ON THE GROUND BUT INSET INTO THE SOIL SPARINGLY SO THAT THE NET APPEARANCE IS 90% SOIL AND 90% VISIBLE STONE VISIT DC RANCH SAMPLE YARD FOR BULK EXAMPLE
P. PROVIDE 30" ISOMORPHS AT ALL CHANGE IN ELEVATIONS THAT ARE GREATER THAN 30" (TYP.)

## PROJECT DATA

| | |
|---|---|
| APN# | 175-11-0030 |
| Address | 8202 E. Cactus Road<br>Scottsdale, Arizona 85260 |
| Site Area | 224,187 sf / 5.1465 Acres |
| Easements: | (Drainage Easement<br>Emergency & Service Vehicle Access Easement Easement<br>Access & Utility Easement<br>-Utility (Cell Tower) Easement<br>Electric Easement<br>Trail Easement<br>Public Utility Easement (PUE)<br>Right of Way Easement (ROW)<br>Water Easement<br>Parking & Access Easement<br>Public Utilities, Equestrian, Bicycle & Pedestrian Path Easement |
| Rezoned Cases: | 76-ZN-88, 33-ZN-89#3 |
| Zoning District: | R1-35 |
| Use: | Community/Recreation Building |
| Setbacks: | 30' N. Cactus Rd |
| Proposed Height: | 30'-0" |
| Bldg Height Allowed: | 1' above natural grade |
| Proposed Bldg. Area: | 20,591 sf |
| Gross Floor Area: | 13,276 sf 1st Floor 7,315 sf 2nd Floor<br>20,591 sf |
| Parking Required: | 204 Spaces |
| Reciprocal Easement Agreement | 113 Additional Spaces (R) |
| Total Parking Provided: | 117 Spaces<br>16 Spaces on West<br>+7 ADA Spaces<br>-188 Spaces Provided on Site Existing (R) |
| TOTAL PROVIDED: 4+16 / 1.5x188= 311 Spaces Total | |
| Accessible Parking Required: | 4% of Provided (191) = 7 Spaces |
| Total Accessible Parking Provided: | 7 Spaces (Existing) |

## KEYNOTES

1 DRAINAGE EASEMENT
2 ACCESS & UTILITY EASEMENT
3 ACCESS EASEMENT
4 CELL TOWER
5 EXISTING GAZEBO
6 NEW TERRACED AMPHITHEATRE LANDSCAPE DRAWINGS
7 UTILITY/CELL TOWER EASEMENT
8 ELECTRIC EASEMENT
9 PUBLIC & EMERGENCY VEHICLE EASEMENT
10 PUE EASEMENT
11 TRAIL EASEMENT
12 EXISTING CROSS
13 EXISTING SIGNAGE
14 SITE WALL
15 EXISTING TRASH ENCLOSURE
16 PROPERTY LINE
17 EXISTING FIRE HYDRANT
18 EXISTING DRIVEWAY
19 EXISTING CONCRETE SIDEWALK
20 9'X 17'-0" PARKING SPACE, TYP
21 WATER EASEMENT
22 PUBLIC UTILITIES, EQUESTRIAN, BICYCLE & PEDESTRIAN PATH EASEMENT

## C.O. SCOTTSDALE NOTES

A. SIGHT DISTANCE TRIANGLES SHALL BE SHOWN ON FINAL PLANS FOR DRIVEWAYS FROM COMMERCIAL SITES AND ANY INTERSECTIONS. AREA WITHIN THE SAFETY TRIANGLE IS TO BE CLEAR OF LANDSCAPING, SIGNS OR OTHER VISUALLY OBSTRUCTIONS WITH A HEIGHT GREATER THAN 1.5 FEET, UNLESS WITHIN THE SAFETY TRIANGLE, SHALL BE STREET TRUNK AND NAME. A CANOPY THAT BEGINS AT 8 FEET IN HEIGHT UPON INSTALLATION. ALL HEIGHTS ARE MEASURED FROM THE NEAREST STREET LINE ELEVATION.
B. TEMPORARY SECURITY FENCING THAT IS REQUIRED OR IS OPTIONALLY PROVIDED SHALL BE IN ACCORDANCE WITH THE ZONING ORDINANCE AND THE DESIGN STANDARDS AND POLICIES MANUAL.
C. THE TEMPORARY SECURITY FENCE LOCATION SHALL NOT BE MODIFIED OR THE TEMPORARY SECURITY FENCE LOCATION SHALL NOT BE WITHOUT THE APPROVAL OF THE PLANNING AND DEVELOPMENT SERVICES INSPECTION SERVICES DIVISION.
D. ALL RIGHTS-OF-WAY ADJACENT TO THE PROPERTY SHALL BE LANDSCAPED AND MAINTAINED BY THE PROPERTY OWNER.
E. ALL SIGNS REQUIRE SEPARATE PERMITS AND APPROVALS.
F. A MASTER SIGN PROGRAM SHALL BE SUBJECT TO THE APPROVAL OF THE DEVELOPMENT REVIEW BOARD PRIOR TO THE ISSUANCE OF A SIGN PERMIT FOR MULTI-TENANT BUILDINGS.
G. NO EXTERIOR VENDING OR DISPLAY SHALL BE ALLOWED.
H. FLAGPOLES, IF PROVIDED, SHALL BE ONE PIECE CONICAL TAPERED.
I. NO EXTERIOR PUBLIC ADDRESS OR SPEAKER SYSTEM SHALL BE ALLOWED.
J. PATIO UMBRELLAS, IF PROVIDED, SHALL BE SOLID COLORS AND SHALL HAVE ANY ADVERTISING IN THE FORM OF SIGNAGE OR LOGOS.
K. ALL EXTERIOR MECHANICAL, UTILITY, AND COMMUNICATION EQUIPMENT SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST UNIT BY PARAPET OR SCREEN WALL THAT MATCHES THE ARCHITECTURAL COLOR AND ARCHITECTURAL FINISH OF THE BUILDING. GROUND MOUNTED MECHANICAL, UTILITY, AND COMMUNICATION EQUIPMENT SHALL BE SCREENED BY A SCREEN WALL THAT MATCHES THE ARCHITECTURAL COLOR AND ARCHITECTURAL FINISH OF THE BUILDING, WHICH IS A MINIMUM OF 1'-0" HIGHER THAN THE HIGHEST POINT OF THE TALLEST UNIT (DETAILS ARE STILL REQUIRED.)
L. ALL EQUIPMENT, UTILITIES, OR OTHER APPURTENANCES ATTACHED TO THE BUILDING DESIGN IN TERMS OF FORM, COLOR AND TEXTURE.
M. NO EXTERIOR VISIBLE LADDERS SHALL BE ALLOWED.
N. ALL POLE MOUNTED LIGHTING SHALL BE A MAXIMUM OF 20' IN HEIGHT.
O. NO CHAIN LINK FENCING SHALL BE ALLOWED.
P. NO TURF AREAS SHALL BE PROVIDED.

**2-ZN-2016**
**1/19/16**

Ordinance No. 4249
Exhibit A to Exhibit 1
Page 1 of 1

PHXARCH
15990 N. GREENWAY HAYDEN LOOP
SUITE C-100
SCOTTSDALE, AZ 85260
T 480.477.1111
F 480.389.3844
PHXARCH.COM

# ASSUMPTION FELLOWSHIP HALL
Tenant Improvements
8202 E. Cactus Road, Scottsdale AZ 85260

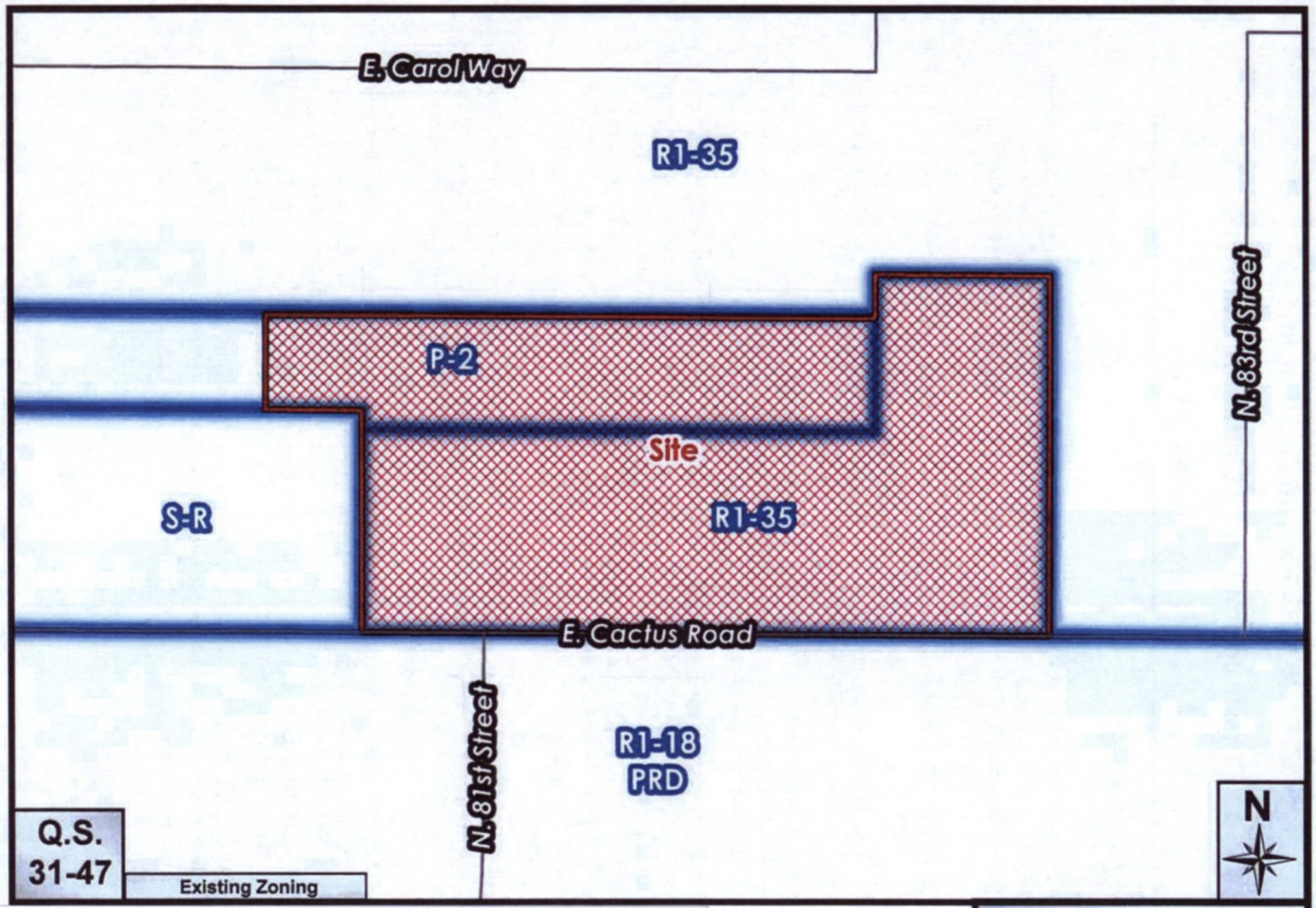
NOT FOR CONSTRUCTION

11
12
November 03 2

SITE PLAN

As indicat

A101




Ordinance No. 4249
Exhibit 2
Page 1 of 1

**Assumption Greek Orthodox Church**

**2-ZN-2016**

# Additional Information for:
# Assumption Greek Orthodox Church
# Case: 2-ZN-2016

**PLANNING/DEVELOPMENT**

1. DEVELOPMENT CONTINGENCIES Each element of this zoning case—including density/intensity, lot/unit placement, access and other development contingencies—may be changed as more information becomes available to address public health, safety and welfare issues related to drainage, open space, infrastructure and other requirements.
2. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
   a. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use; and
   b. the location and design of the multi-purpose building, including window design and placement and building massing, to ensure an appropriate visual and height relationship between the site and the adjacent residences.
3. RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE. The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
4. EASEMENTS CONVEYED BY SEPARATE INSTRUMENT. Before any building permit is issued for the site, each easement conveyed to the city separate from a final plat shall be conveyed by an instrument or map of dedication subject to city staff approval, and accompanied by a title policy in favor of the city, in conformance with the Design Standards and Policies Manual.
5. FEES. The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
6. CONSTRUCTION COMPLETED. Before any Certificate of Occupancy is issued for the site, the owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations, in conformance with the Design Standards and Policies Manual and other applicable standards.

catclar
INVESTMENTS

To: City of Scottsdale
Planning, Neighborhood & Transportation Division
7447 E Indian School Road Suite 105, Scottsdale, AZ 85251

From: Catclar Investments, LLC.

Date: 3/7/16

Re: Assumption Greek Orthodox Church Zoning Adjustment

The applicant is requesting to modify or remove the following stipulations from zoning cases 26-Z-88, 26-Z-88#2 and 16-UP-88.

**3. The Maximum height of any outdoor lighting on the building or in the parking area shall be 10 feet.**

**9. The maximum height of the church multi-purpose building shall be 25 feet and the sanctuary shall be 38 feet.**

**17. The applicant shall provide as part of the Development Review Board a north-south cross section of the site and adjoining residence. The Board shall pay particular attention to the cross section in order to assure an appropriate visual and height relationship between the site and the adjacent residences.**

The applicant is asking to modify stipulation #3 concerning site lighting to allow lighting on 2nd floor outdoor hallways of the new multi-purpose building. Existing Site Lighting will remain at 10' per stipulation #3.

The applicant is asking to remove Stipulation #9 governing building height on the site. The applicant is requesting that the 25' building height be rescinded and a 30' building height, per current R1-35 standards, be allowed in order to facilitate the construction of a new Fellowship Hall on the property.

The property is currently zoned as S-R. During the original 1988 zoning hearing for the construction of the existing Sanctuary building, a stipulation was placed restricting the building height to 25'. The property is abutted to the North and East by single family residential homes zoned R1-35. The homes were developed at the time of the construction of the current Church Sanctuary building. Currently, R1-35 zoning district

**ATTACHMENT #3**

standards allow for a building height of 30'. Based on outreach done by the Church, both through the Citizen Review process and additional outreach, the adjacent neighbors are in favor of allowing the stipulation to be removed.

The applicant is requesting to remove stipulation #17, a request to submit a north-south cross section of the site and adjoining residences. Current Design Review Board submittals include elevations of all the proposed buildings as part of the review process. In addition, all new construction will adhere to current zoning standards.

Sincerely,

Matt Personne
Director of Development
Catclar Investments, LLC

ATTACHMENT #4




**Assumption Greek Orthodox Church**

**2-ZN-2016**

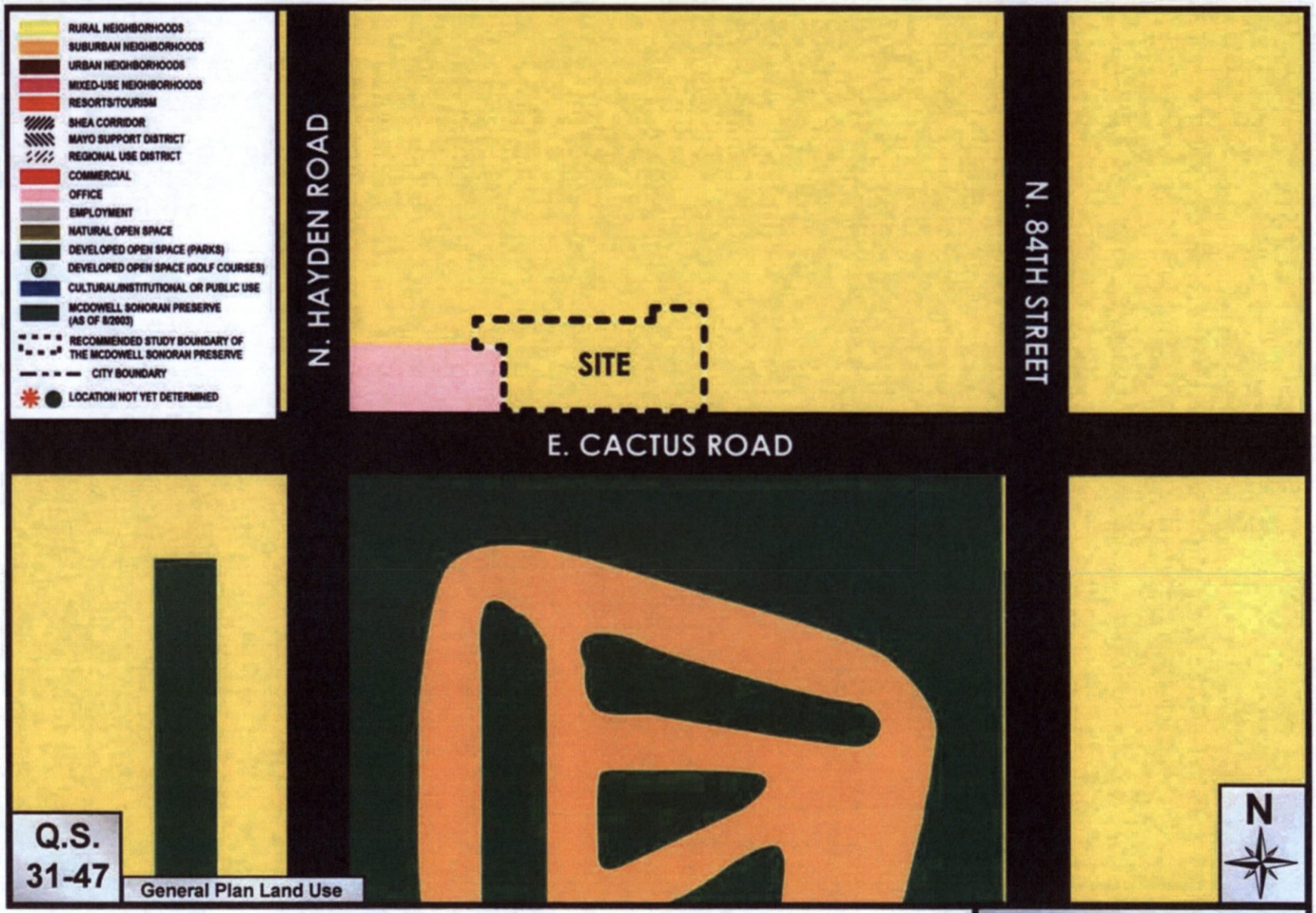
ATTACHMENT #4A




**Assumption Greek Orthodox Church**

**2-ZN-2016**

ATTACHMENT #5




**Assumption Greek Orthodox Church**

**2-ZN-2016**

**Carr, Brad**

**Subject:** Case # 67-DR-2015

I am a homeowners in Stoneridge Estates at 12231 N 83rd St and received a "Keeping you Informed" postcard in regards to the above mentioned case # 67-DR-2015. I'm unsure of the steps necessary to get this approved or denied but on the postcard it mentions to email comments to this address.

Overall this addition to the existing church development is exactly what is not wanted nor expected in a R1-35 zoning community. The size of the structure, both height and overall sq. ft. would drastically change the immediate feel of the predominately all residential area. There is no structure close to this overall size on Cactus. The existing Odyssey Professional Center is a complex of numerous buildings which matches the current landscape and feel of the area and is on an almost completely unusable corner for residential purposes. This "Fellowship Hall" would set more of a precedence of developing Cactus Rd to mimic Shea Blvd from the 101 through Scottsdale. The intersection of Hayden & Cactus is already a pretty dangerous, high accident area and the additional traffic and congestion would only further the existing problem.

If any expansion on my opinion is required or additional paperwork is needed for me to help stop this site plan please contact me by either mail or phone.

Brian A Klimes
480.219.6733
12231 N 83rd St
Scottsdale, AZ 85260

**ATTACHMENT #6**

## Carr, Brad

**From:** Carr, Brad
**Sent:** Thursday, December 24, 2015 9:04 AM
**To:** 'groth5rock@gmail.com'
**Subject:** RE: Scanned document from HP ePrint user

The church dome is at 38 feet.

Brad

---

**From:** groth5rock@gmail.com [mailto:groth5rock@gmail.com]
**Sent:** Monday, December 21, 2015 5:22 PM
**To:** Carr, Brad
**Subject:** Re: Scanned document from HP ePrint user

Do you know how tall the church dome is, for comparison?

Sent from my iPhone

On Dec 21, 2015, at 8:37 AM, Carr, Brad <bcarr@scottsdaleaz.gov> wrote:

> Hello Dwight,
>
> To answer your questions:
>
> 1. The new building is proposed at an overall height of 30 feet, 2 stories.
> 2. The building located at the NE corner of the property is not included in the application to the city. I would defer the disposition of that building to the applicant.
>
> Regards,
>
> **Brad Carr, AICP LEED-AP**
> *Senior Planner*
> City of Scottsdale
> Current Planning Services
> 7447 E. Indian School Rd., Ste 105
> Scottsdale, AZ 85251
> 480.312.7713p 480.312.7088f

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**From:** groth5rock@gmail.com [mailto:groth5rock@gmail.com]
**Sent:** Saturday, December 19, 2015 11:51 AM
**To:** Carr, Brad
**Cc:** mpnassos@gmail.com
**Subject:** Fw: Scanned document from HP ePrint user

I have a couple of questions and concerns regarding this project.

#1: Height of the new building. I do not mind the height of the current church dome, but I would object to a secondary building that is tall. 2 stories really concerns me.

#2: What is the plan for the building in the NE corner of the property? The building looks like it is waiting on a roof/tiles to be installed.

Respectfully,
Dwight Groth

Sent from Windows Mail

**From:** eprintcenter@hp.com
**Sent:** Saturday, December 19, 2015 11:18 AM
**To:** Dwight Groth

This email and attachment are sent on behalf of **groth5rock@gmail.com**.

If you do not want to receive this email in future, you may contact **groth5rock@gmail.com** directly or you may consult your email application for spam or junk email filtering options.

Regards,
HP Team

**Carr, Brad**

**From:** Matt P [mailto:mattp@catclar.com]
**Sent:** Wednesday, March 16, 2016 5:27 PM
**To:** Carr, Brad
**Cc:** Irene Catisbris Clary
**Subject:** Fwd:

Brad,
Irene asked me to forward Dan Sommer's email containing Desert Hills North Community's support of our project provided the included provisions. Please see the email chain below.

Thanks,

Matt Personne
Catclar Investments

Begin forwarded message:

> **From:** "Dan Sommer" <jdds11@cox.net>
> **Date:** January 24, 2016 at 7:41:28 AM MST
> **To:** "Irene Clary" <icatsibrisclary@catclar.com>
> **Subject: Re:**
>
> Irene,
>
> Thank you very much for the e-mail below. Desert Hills North community very much appreciates the Assumption Greek Orthodox Church talking with us about your development plans. With the statements one, two and three below we are in full support of the new building going up along Cactus Road. We look forward to working with the Church on any future development issues.
>
> I can be reached at this e-mail address or my cell (602-326-1690).
>
> Sincerely,
> Dan Sommer
> 12005 N 84th Street
> Scottsdale, AZ 85260
>
> **From:** Irene Clary
> **Sent:** Saturday, January 23, 2016 2:57 PM
> **To:** jdds11@cox.net
> **Subject:** Re:
>
> Hi Dan,
> I have not heard back from you.
> Kindly respond confirming that the below terms are acceptable in exchange for the neighborhood support?
> Sincerely,
> Irene Clary

On Jan 22, 2016, at 11:06 AM, Irene Clary <icatsibrisclary@catclar.com> wrote:

Hello Dan,
Further to our verbal agreement I have summarized the following for your review and acceptance.
On behalf of the Assumption Greek Orthodox Church, we endeavor to do the following:
1. Support the area residences against commercial developments.
2.We shall plant along the building 13' trees that will grow higher but will soften the look of the building.
3.Brad Carr has agreed to change the wording from office building to Father's Confession Room.
Please let me know if the above is acceptable and we can move forward with your support.
Thanks so much Dan!
Best Regards,

Irene Catsibris Clary
Principal
Catclar Investments LLC
Catclar Realty LLC
Symi Developments LLC
Arcadia Townhomes, LLC
Bahia Live/Work Lofts and Townhomes, LLC
16621 N 91st Street #101
Scottsdale, AZ 85260
Office: 480-473-3700 x102
Cell: 480-363-2396

catclar
INVESTMENTS

To: City of Scottsdale
Planning, Neighborhood & Transportation Division
7447 E Indian School Road Suite 105, Scottsdale, AZ 85251

From: Catclar Investments LLC.

Date: 3/1/16

Re: Assumption Greek Orthodox Church Zoning Adjustment

Citizen and Neighborhood Involvement Process

8202 E Cactus Road, Scottsdale, AZ 85260

The project team has made a concerted effort to reach out to the neighboring community and has gone above and beyond to have meaningful conversations. We have and will continue to address any questions and/or comments that may arise throughout the application process.

Posting & Notification

Pursuant to the City of Scottsdale requirements, on January 11th, 2016 the Applicant sent first class letters to all property owners within 750 feet of the project site and chairpersons of registered neighborhood associations and home owners associations, and notified interested parties of the proposed zoning adjustments and of a neighborhood meeting scheduled for Monday, January 25th , 2016. The respective dates, locations and time for the neighborhood meeting and Applicants contact information were posted on the project site on January 15th 2016 as well. Copies of the mailing notice, notification list, as well as photos of the neighborhood meeting notice sign posted on the site, are enclosed with this summary.

Phone Calls, Letters, Emails and faxes:

Prior to the neighborhood meeting, the Applicant reached out to several neighbors to share the development plan with them in advance and invite them to the meeting. After explaining the project to these property owners, they have been very supportive of the project. The Applicant was able to answer all of their questions.

Neighborhood Meeting of January 25th 2014.

**CATCLAR INVESTMENTS LLC**
**16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260**

The project's official neighborhood meeting was held at the project location, Assumption Greek Orthodox Church, at 8202 E Cactus Road, Scottsdale, AZ 85260. The meeting was scheduled to be from 4-6 pm. The Applicant representative Irene Clary, was in attendance, as well as members of the project team including, Ron Skoog with PHX Architecture and members of the Church building committee. In addition to the Applicant and the project team, approximately 3 people from the public attended the meeting. The Applicant set up presentation boards around the room and the project team was available to discuss the project individually with members of the public.

The members of the public in attendance were supportive. Additional public comments are overall supportive of the project.

In addition to the public meeting, the Applicant has spoken with a resident who represented the Neighborhood Association and have agreed to modify some of the language in their request as well plant some additional landscaping for the project. The HOA is satisfied with these changes and supports the project.

We are very excited about what this project brings to the general area.

We thank you for your consideration and hope to see a favorable outcome to this application.

Enclosures: January 11th, 2016 mailing notice

January 11th, 2016 mailing notification list and map

January 15th, 2016 affidavit of sign posting and photo of posted sign

Please contact us with any questions,

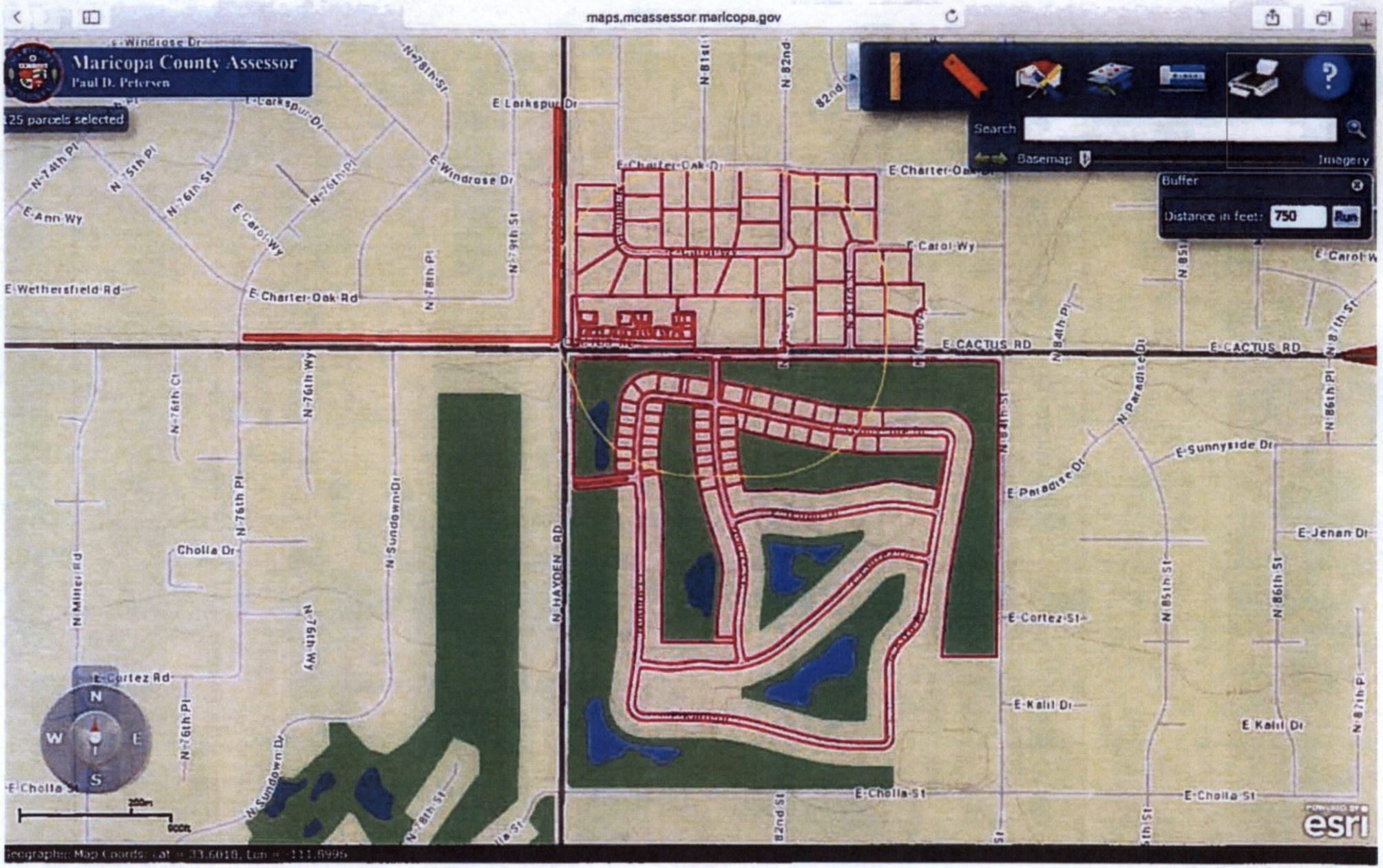
Matt Personne
Director of Development
Catclar Investments, LLC

750' notification list

1/11/16

| Owner | MAIL_ADDR1 | MAIL_ADDR2 | MAIL_CITY | MAIL_STATE | MAIL_ZIP | MAIL_CO | APN |
|---|---|---|---|---|---|---|---|
| AAAA PROPERTIES LLC | 10100 SANTA MONICA BLVD STE 300 | | LOS ANGELES | CA | 90067 | USA | 17511257 |
| AFFAS NASHWAN H/MICHAEL KHALIDA M | 8129 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511097 |
| ALAMOUT LLC | PO BOX 15306 | | SCOTTSDALE | AZ | 85267 | USA | 17511259 |
| ALYNE A POLIAKOFF REVOCABLE TRUST | 8307 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511151 |
| ARLINGTON ENTERPRISES LLC | 8140 E CACTUS RD UN 730 | | SCOTTSDALE | AZ | 85260 | USA | 17511247 |
| ARTHUR F GEORGE REVOCABLE TRUST | 11997 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514117 |
| ASSUMPTION GREEK ORTHODOX CHURCH | 8202 E CACTUS RD | | SCOTTSDALE | AZ | 85260 | USA | 17511178 |
| ASSUMPTION GREEK ORTHODOX CHURCH | 8202 E CACTUS | | SCOTTSDALE | AZ | 852600000 | USA | 175110031H |
| ASSUMPTION GREEK ORTHODOX CHURCH | 8202 E CACTUS | | SCOTTSDALE | AZ | 852600000 | USA | 175110036 |
| AUSTIN DENNIS LYNN/MARJORY TR | 12429 N 82ND ST | | SCOTTSDALE | AZ | 85260 | USA | 17511160 |
| BECKENSTEIN MY/MARSHA | 12433 N 82ND ST | | SCOTTSDALE | AZ | 852600000 | USA | 17511100 |
| BECKELER ADRINE M TR | 8 STONECREST | | SAINT JOSEPH | MO | 64506 | USA | 17514126 |
| BREUER RICHARD R/BEER BREUER JULIE A TR | 8249 E CHARTER OAK RD | | SCOTTSDALE | AZ | 85260 | USA | 17511172 |
| BUCK RHONDA E TR | 8058 E CAROL WAY | | SCOTTSDALE | AZ | 85260 | USA | 17511104 |
| CAMPBELL JOSEPH | 12438 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17511089 |
| CASHMAN JUNE M TR | 12068 N 80TH PLACE | | SCOTTSDALE | AZ | 85260 | USA | 17514008 |
| CHAFFEE WILLIAM G/GRACE E TR | 12046 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514088 |
| CHUA TECK KUEN | 11958 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17514005 |
| CREDIT SHELTER TRUST UNDER THE SELIMI | 11996 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514091 |
| CZYZ THOMAS R/AMY M | 12437 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17511109 |
| DAAN INVESTMENT SERVICES LLLP | 6223 E VIA ESTRELLA AVE | | PARADISE VALLEY | AZ | 85253 | USA | 17511237 |
| DAMOVAND LLC | PO BOX 26910 | | PHOENIX | AZ | 85068 | USA | 17511258 |
| DAWOOD FAMILY LIVING TRUST | 12414 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17511091 |
| DE OCAMPO JOSE/ANNA | 8226 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514029 |
| DERKS ROBERT A/REKNA TR | 8177 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514124 |
| DESERT STAR MANAGEMENT LLC | 8144 E CACTUS 840 | | SCOTTSDALE | AZ | 85260 | USA | 17511262 |
| DICKEY HERMAN S/PATRICIA S TR | 11976 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514092 |
| DUNLAP CATHERINE C/LARRY L TR | 771 VICTORIA HEIGHTS TER | | SALINA | KS | 67401 | USA | 175141200 |
| ELLIS MICHAEL N/TRACIE L | 8046 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514012 |
| FEHRMAN RAYMOND G & CYNTHIA J | 12426 N 82ND ST | | SCOTTSDALE | AZ | 85260 | USA | 17511099 |
| FITZPATRICK JAMES T/THOMAS | 8314 E WETHERSFIELD RD | | SCOTTSDALE | AZ | 85254 | USA | 17511146 |
| FLATT JOAN LOUISE TR | 8266 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514021 |
| FLYNN KEITH C/CHRISTINNA M | 8131 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511096 |
| FOGELSON PATRICIA ANN/DAVD M TR | 12026 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514089 |
| FRANCK AND GERALDINE BARTHELEMY LIVING TRUST | 8039 E CHARTER OAK RD | | SCOTTSDALE | AZ | 85260 | USA | 17511105 |
| FRAZZWOOD PROPERTIES LLC | 8134 E CACTUS RD STE 620 | | SCOTTSDALE | AZ | 85260 | USA | 17511243 |
| GIBSON BRADLEY K & SHARI L | 12270 N 83RD ST | | SCOTTSDALE | AZ | 85260 | USA | 17511174 |
| GODBER PATRICIA A | 8040 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511107 |
| GPR ENTERPRISES LLC | 8144 E CACTUS RD | | SCOTTSDALE | AZ | 85260 | USA | 17511260 |
| GRAND CANYON REAL ESTATE HOLDINGS LLC | 8144 E CACTUS RD STE 830 | | SCOTTSDALE | AZ | 85260 | USA | 17511261 |
| GREEN FAMILY TRUST | 8137 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514122 |
| GROTH DWIGHT J/GINGER | 8203 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511179 |
| GURNEE ROBERT L/OKUMA-GURNEE DENISE A | 8114 E CACTUS RD 200 | | SCOTTSDALE | AZ | 85260 | USA | 17511231 |
| HATSAKORZIAN SOUREN | 12210 N 83RD ST | | SCOTTSDALE | AZ | 85260 | USA | 17511177 |
| HENRY S ALBERT AND SANDRA ALBERT TRUST | 2245 W WOODBURY LN | | GLENDALE | WI | 53209 | USA | 175141194 |
| HORNE SUSAN C | 8304 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511173 |
| HOTZ ROBERT S/CAROL J TR | 8129 CHARTER OAK DRIVE | | SCOTTSDALE | AZ | 85260 | USA | 17511101 |
| JEFFRIES J OKANSKI AND MARY M OKANSKI TR/ETAL | PO BOX 31801 | | TUCSON | AZ | 85751 | USA | 17511170 |
| JOY W WILL TRUST | 8301 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511150 |
| KEYAR LLC | 15848 E ECHO HILL DR | | FOUNTAIN HILLS | AZ | 85268 | USA | 17511242 |
| KILGORE RITA G TR | 12230 N 83RD ST | | SCOTTSDALE | AZ | 85260 | USA | 17511176 |
| KINNE LON W | 8257 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514127 |
| KLAIBER GERHART/EMILY C | 12138 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17514011 |
| KLINES BRIAN A TR | 12231 N 83RD ST | | SCOTTSDALE | AZ | 85260 | USA | 17511149 |
| KUNASEK FAMILY TRUST | 8156 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514017 |
| L-221 HOLDINGS LTD | 4685 ELM ST | | VANCOUVER | BC | V6L 2L4 | CANADA | 17514006 |
| LACKNER DORIS K | 12169 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17514085 |
| LAMBERT JACK A/FLORENCE A TR | 12077 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 175141214 |
| LENSTROHM JOHN E/LISA M | 8039 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511094 |
| LIESKE HARVEY A/SUZANNE T | 11977 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514116 |
| LOMBOCKER ROBERT C/TERYL J | 8176 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514018 |
| LUPI NICOLA/GRAZIELLA TR | 28 HAMPTONS COVE NW | | CALGARY | AB | T3A 5B7 | CANADA | 17514080 |
| MABILIA JOSEPH A/BARBARA J | 12086 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514086 |
| MACHNAU KARIN D | 12049 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17514082 |
| MAHAJAN VAGISH ARCHNA | 8116 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514015 |
| MARX AND LU ROHDE FAMILY TRUST | 9449 EAST IRONWOOD BEND | | SCOTTSDALE | AZ | 85255 | USA | 17511238 |
| MARSHALL LARRY L TR/MARSHALL BARBARA C TR | PO BOX 557 | | SALINA | KS | 67402 | USA | 17514087 |
| METRO CACTUS PROPERTIES LLC | 12231 N 83RD ST | | SCOTTSDALE | AZ | 85260 | USA | 17511248 |
| MINELLA LIVING TRUST | 12016 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514090 |
| MKAT LLC | 8124 E CACTUS RD STE 420 | | SCOTTSDALE | AZ | 85260 | USA | 17511239 |
| MORGAN PHILLIP B/ NANCY L TR | 12017 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514118 |
| MUELLER AND DRURY REAL ESTATE LLC | 8110 E CACTUS RD STE 105 | | SCOTTSDALE | AZ | 85260 | USA | 17511253 |
| MURPHY JOHN Z/JACKSON MICHELLE | 12088 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17514009 |
| NEILL ROBERT CAREY/MARY VERONICA TR | 12426 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17511090 |
| NELSON DANIEL M JR | 7650 E CORTEZ RD | | SCOTTSDALE | AZ | 85260 | USA | 17514083 |
| NICHOLAS AND IRENE MIHALIDIS REV TRUST | 12210 N 83RD PL | | SCOTTSDALE | AZ | 85260 | USA | 17511147 |

| | | | | | | |
|---|---|---|---|---|---|---|
| ODYSSEY 240 LLC | 8302 N 74TH PL | | SCOTTSDALE | AZ | 85258 USA | 17511264 |
| ODYSSEY PROFESSIONAL CENTER UNIT OWNERS ASSOC | 8130 E CACTUS RD NO 500 | | SCOTTSDALE | AZ | 85260 USA | 17511252 |
| PAMA LLC | 8140 E CACTUS RD NO 700 | | SCOTTSDALE | AZ | 85260 USA | 17511244 |
| PROUTY SALEM M/NASHIE A | 12250 N 83RD ST | | SCOTTSDALE | AZ | 85250 USA | 1751117S |
| PRYOR RALPH W/NANCY A | 8195 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 USA | 17514019 |
| RENNIE CHARLES/SANDRA | 12048 N 80TH PL | | SCOTTSDALE | AZ | 85260 USA | 17514007 |
| RILEY KELLI M TR | 8136 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 USA | 17514016 |
| ROBERGE FRANK L/CHARLOTTE R TR | 8057 E CHARTER OAK RD | | SCOTTSDALE | AZ | 85254 USA | 17511105 |
| ROBISON W GARY/JUDY S | PO BOX 1847 | | DURANGO | CO | 81302 USA | 17514010 |
| ROSENBLUM FRANCES C | 12449 N 80TH PL | | SCOTTSDALE | AZ | 85260 USA | 17511110 |
| RYAN ROBERT E/KATHLEEN | 7363 E ADOBE DR STE 115 | | SCOTTSDALE | AZ | 85255 USA | 17511263 |
| SARRAM SAEED | 12402 N 80TH PL | | SCOTTSDALE | AZ | 85260 USA | 17511092 |
| SCHAEFFER JEFFERY S/AMY R | 12425 N 80TH PL | | SCOTTSDALE | AZ | 852600000 USA | 17511108 |
| SCOTTSDALE CITY OF | 3939 N DRINKWATER BLVD | | SCOTTSDALE | AZ | 85251 USA | 17509262 |
| SCOTTSDALE CITY OF | 3939 CIVIC CENTER BLVD | | SCOTTSDALE | AZ | 85251 USA | 175110038 |
| SCOTTSDALE COUNTRY CLUB EAST NINE HOA | 7255 E HAMPTON AVE STE 101 | | MESA | AZ | 85209 USA | 17514275A |
| SEERY ROBERT W/JONNE L | 9550 E THUNDERBIRD RD UNIT 351 | | SCOTTSDALE | AZ | 85260 USA | 17514123 |
| SHIFRIS FAMILY LIVING TRUST | 12089 N 80TH PL | | SCOTTSDALE | AZ | 85260 USA | 17514084 |
| SMITH JEFFREY K/LYDIA | 2064 E RUBY LN | | PHOENIX | AZ | 85024 USA | 17511232 |
| SMITH THOMAS C/SUZANNE M TR | 12029 N 80TH PL | | SCOTTSDALE | AZ | 85260 USA | 17514081 |
| SMITH-STROLE RACHELLE | 3406 E KACHINA | | PHOENIX | AZ | 85044 USA | 17511102 |
| SPONGEBOB 8120 LLC | 8120 E CACTUS RD BLDG 3 | | SCOTTSDALE | AZ | 85260 USA | 17511236 |
| STARFIRE INVESTORS LP | 8135 E INDIAN BEND RD | STE 101 | SCOTTSDALE | AZ | 85250 USA | 17514263 |
| STILWELL JOHN/BRENDA | 8112 E CAROL WAY | | SCOTTSDALE | AZ | 85260 USA | 17511103 |
| SUGARMAN PAUL I/KAREN F | 8066 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 USA | 17514013 |
| TOM M SILVERMAN FAMILY TRUST | 8197 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 USA | 17514125 |
| USHER BRUCE N/CHRISTINE L | 12237 N 101ND ST | | SCOTTSDALE | AZ | 85260 USA | 17511241 |
| VERMA DEEPAK/REBECCA | 8021 E CAROL WY | | SCOTTSDALE | AZ | 85260 USA | 17511093 |
| VISALIA REAL ESTATE LLC | 8110 E CACTUS RD STE L10 | | SCOTTSDALE | AZ | 85260 USA | 17511254 |
| WARGO NEIL G/MARY GRACE | 8147 E CAROL WY | | SCOTTSDALE | AZ | 85260 USA | 17511098 |
| WEILER BERNARD A/ELEANOR M | 8057 E CAROL WAY | | SCOTTSDALE | AZ | 85260 USA | 17511095 |
| WEBFLOG PROPERTIES LLC | 8114 E CACTUS RD STE 220 | | SCOTTSDALE | AZ | 85260 USA | 17511233 |
| WONG DAVID H/ROCHELLE H TR | 705 S DOBSON RD | | CHANDLER | AZ | 85224 USA | 17511245 |
| WYATT JAMES D/DONNA K | 9096 E SUNNYSIDE DR | | SCOTTSDLAE | AZ | 85160 USA | 17514014 |
| YODER ROBERT R/SPILMAN STACY M | 12211 N 83RD ST | | SCOTTSDALE | AZ | 852600000 USA | 17511148 |
| ZIMTBAUM LORENCE M | 9375 E SHEA BLVD SUITE 100 | | SCOTTSDALE | AZ | 85260 USA | 17511171 |


maps.mcassessor.maricopa.gov
Maricopa County Assessor
Paul D. Petersen
125 parcels selected
Search
Basemap
Imagery
Buffer
Distance in feet:
750
Run
E Windrose Dr
E Larkspur Dr
N 78th Pl
N 81st
N 82nd
82nd St
N 74th Pl
N 75th Pl
N 76th St
N 76th Pl
E Ann Wy
E Carol Wy
E Wethersfield Rd
E Charter Oak Rd
N 78th Pl
N 79th St
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N 84th Pl
E CACTUS RD
N 87th St
N 76th Ct
N 76th Wy
N Miller Rd
N 76th Pl
Cholla Dr
N Sundown Dr
N HAYDEN RD
N 84th St
N Paradise Dr
E Sunnyside Dr
E Jenan Dr
N 85th St
N 86th St
N 86th Pl
E Cortez St
E Cortez Rd
E Kalil Dr
E Cholla St
N
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E
W
200m
900ft
esri

# ASSUMPTION GREEK ORTHODOX CHURCH

8202 E. Cactus Road, Scottsdale, AZ 85260 Tel.: (480) 991-3009 • Fax: (480) 991-3717
Web: www.assumptionaz.org • E-mail: office@assumptionaz.org • priest@assumptionaz.org

METROPOLIS OF SAN FRANCISCO


**1/11/16**

**RE: Neighborhood meeting by the Assumption Greek Orthodox Church for modifying the existing zoning stipulations related to Zoning case 26-Z-88.**

**Dear Neighbor,**

**We are writing to notify you of an upcoming neighborhood meeting on January 25th, 2016, from 4-6 pm in the church community center concerning the Assumption Greek Orthodox Church property at 8202 E Cactus Road.**

**We are seeking a modification to the original zoning stipulations from 1988 (26-Z-88). These stipulations were put in place when the property was originally zoned by the City of Scottsdale. The property has since been rezoned by the General Plan and many of the original 19 stipulations have been satisfied or are no longer applicable. The changes being requested are consistent with the current development requirements for places of worship in the Scottsdale Zoning Ordinance.**

**Please join us January 25th from 4-6pm in the church community center to see the improvement plans, ask any questions you have and see the full list of stipulations to be modified.**

**If you have any questions, please do hesitate to contact either of the project representatives below:**

**Assumption Greek Orthodox Church:**

**Irene Clary**
**CatClar Investments, LLC**
**Chair, AGOC Building Committee**
**8202 E Cactus Road**
**Scottsdale, AZ 85260**
**480-473-3700**
**icatsibrisclary@catclar.com**

**City of Scottsdale:**

**Brad Carr**
**Senior Planner**
**7447 E Indian School Road, #105**
**Scottsdale, AZ 85251**
**480-312-7713**
**bcarr@scottsdaleaz.gov**

**We look forward to meeting you!**

# Affidavit of Posting

**Required: Signed, Notarized originals.**
Recommended: E-mail copy to your project coordinator.

☒ **Project Under Consideration Sign (White)** ☐ **Public Hearing Notice Sign (Red)**

**Case Number:** 26-Z-88

**Project Name:** Assumption Church

**Location:** 8202 East Cactus Road

**Site Posting Date:** 1-15-2015

**Applicant Name:** Irene Clary

Sign Company Name: Scottsdale Sign A Rama

Phone Number: 480-994-4000

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Applicant Signature

Date 1/16/16

**Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.**

Acknowledged before me this the 15th day of January 2016

Aaliaha Ali Mohammed
Notary Public
Maricopa County, Arizona
My Comm. Expires 02-04-19

Notary Public

My commission expires: 02-04-19

**City of Scottsdale -- Current Planning Division**
7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088

# Early Notification of Project Under Consideration

## Neighborhood Open House Meeting

**Date: January 25th, 2016**
**Time: 4:00 – 6:00 PM**
**Location: Community Center Building – Assumption Greek Orthodox Church, 8202 E. Cactus Rd.**

## Site Address: 8202 E. Cactus Rd.

## Project Overview:

- **Description of Request: Applicant is requesting a modification to the original zoning stipulations from 1988, Case #26-Z-88. The changes being requested are consistent with the current development requirements.**
- **Site Acreage: 5.15 +/- (224,182 SF)**
- **Site Zoning: R1-35**

**Applicants Contact: Irene Clary**
**Phone number: 480-473-3700**
**Email: icatsibrisclary@catclar.com**

**City Contacts: Brad Carr**
**Phone number: 480-312-7713**
**Email: bcarr@scottsdaleaz.gov**

**Pre-Application #: 26-Z-88** **Available at The City of Scottsdale: 480-312-7000**

**Project Information may be researched at: www.scottsdaleaz.gov/projects/ProjectsInProcess/**

**Posting Date: 01/15/2016** **-Penalty for removing or defacing sign prior to date of last hearing**
**-Applicant Responsible for Sign Removal**

15/01/2016

# City Notifications – Mailing List Selection Map




**Map Legend:**

Site Boundary

Properties within 750-feet

160 # of Postcards

**Additional Notifications:**

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Twitter
- City Website-Projects in the hearing process

**Assumption Greek Orthodox Church**

**2-ZN-2016**

ATTACHMENT #7

STIPULATION FOR CASE 26-ZN-88#2

1. Development shall be in general conformance with the submitted site plan.

2. P-2 zoning shall be applied to the northern 100 feet of the western 740 feet of the site and the northern 120 feet of the next 545 feet going east on the site.

3. The maximum height of any outdoor lighting on the buildings or in the parking area shall be 10 feet.

4. The landscape plan for the buffer on the north side of the parking area shall be delivered to the adjacent homeowners at least 15 days prior to submittal of the Development Review Board application including the parking area.

5. Whichever use is developed first shall provide for it's normally required parking count with the initial development of the site. Any expansion or development of the other use shall require completion of any additional parking required by the highest demand of the two uses.

6. An 8 foot wide bike path shall be provided along the north side of Cactus Road.

7. A 15 foot trail easement shall be provided along the north side of Cactus Road.

8. A 15 foot wide trail easement shall be provided which connects the trail easement in the subdivision to the north with the Cactus trail. The design and landscaping of the parking area shall provide a clear and delineated corridor for the trail crossing.

9. The maximum height of the church multi-purpose building shall be 25 feet and the sanctuary shall be 38 feet.

10. Right-of-way dedications and improvements shall be made prior to the issuance of permits as follows:

| | |
|---|---|
| Hayden Road | 55' half-street right-of-way |
| Cactus Road | 45' half-street right-of-way<br>30.5 half-street improvements |

11. The driveway on Hayden Road shall be designed for right turn ingress and egress movements only.

ATTACHMENT #8

12. The applicant shall be responsible for 100% of all costs associated with the design and construction of any new signal equipment and/or modifications to existing equipment at the intersection of Hayden and Cactus Roads which are necessary to accommodate any new roadway improvements.

13. The design treatment for all drainage channels on and adjacent to the site shall be approved by the Development Review Board.

14. The minimum parking provided when any joint use is established shall be 10 percent above the highest parking requirement of either of the uses.

15. The minimum building setback along Cactus Road shall be 30 feet.

16. The converted residence at the northeast corner of the site shall be limited to residential, church office, classroom, or church nursery uses. ~~Any exterior expansion of the existing building shall require revision of the use permit through the public hearing process. The building may be used as a temporary church for up to 24 months after approval by the City Council and subject to adequate paved parking and landscaping being provided to the west.~~

17. The applicant shall provide as part of the Development Review Board a north-south cross section of the site and adjoining residences. The Board shall pay particular attention to the cross section in order to assure an appropriate visual and height relationship between the site and the adjacent residences.

~~18. Development on site on the S-R portion of the site shall occur within 24 months of the date of City Council approval.~~

18. The site shall be cleaned-up and kept in a trash-free condition until construction has begun on the site.

# WRITTEN COMMENTS

6

*This card is used to submit written comments to the Board or Commission. Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.*

NAME (print) Dwight Groth MEETING DATE 3-23-16

NAME OF GROUP/ORGANIZATION (if applicable)

ADDRESS 8203 E CAROL WAY ZIP 85260

HOME PHONE 480-948-6303 WORK PHONE 480-455-2981 Cell

E-MAIL ADDRESS(optional) groth5rock@gmail.com

AGENDA ITEM # 2-ZN-2016 ☐ SUPPORT ☒ OPPOSE

COMMENTS (additional space is provided on the back) Variance to current height restrictions will have a negative impact on my property value and quality of life — eye sore.

One of the reasons why I purchased in Stoneridge Estates is because of the single story restriction.

13 yr resident. This card constitutes a public record under Arizona law.

ATTACHMENT #9

ITEM # 6

**Castro, Lorraine**

**From:** Ruenger, Jeffrey
**Sent:** Tuesday, March 22, 2016 9:32 AM
**To:** Castro, Lorraine; Carr, Brad
**Subject:** FW: OBJECTION TO - Assumption Greek Orthodoc Church - Case: 2-ZN-2016 (Zoning Hearing set for March 23, 2016 @ 5:00pm)

**From:** Robert Yoder [mailto:robert@yoderlangford.com]
**Sent:** Tuesday, March 22, 2016 9:25 AM
**To:** Projectinput
**Cc:** Stacy Yoder
**Subject:** Re: OBJECTION TO - Assumption Greek Orthodoc Church - Case: 2-ZN-2016 (Zoning Hearing set for March 23, 2016 @ 5:00pm)

Please note my objection to the above project.

I have resided in this neighborhood (12211 North 83rd Street, Scottsdale AZ 85260) for nearly three decades. During that time period, the Assumption Greek Orthodox Church (the "church") has routinely gone back on its promises to the neighborhood regarding their project development plans.

- The church started as a conditional use permit that was supported by the neighbors based on their promise to keep the church within the character of the neighborhood, and to work with neighbors on future developments. "We will never do anything that the neighbors don't want".
- Shortly thereafter they circulated plans for a large development that was objected to by the then neighbors to the north. The proposal was confrontational and resolved itself primarily because the church lacked funds to go forward.
- The church also conducted a festival each year in those days, and had other events that raised objections from the neighbors to the north. After yet another confrontation, the church agreed in compromise to raise the wall height of certain properties to the north.
- Thereafter, the church attempted to enter into a deal with US West to place a 30 foot cell tower cite on the property to raise revenue for future construction. The neighborhood again had to fight the church to avoid cell towers in the neighborhood.
- Before the current structure was built, the church had let the current property become overgrown with weeds and was a blight. It was a constant battle in the neighborhood to get them to spray for weeds.
- When the current church structure was proposed, in fact, one of the "selling points" was that the property would finally be maintained. Thus, it was agreed to in part to avoid un-neighborly behavior by the church.
- The church also agreed to stipulations on the height and parking for future developments.
- And the church agreed that (1) the property would never be developed contrary to the desires of the neighbors, and (2) that the East parcel (which is within Stoneridge Estates II) would remain subject to the same covenants and restrictions as the other residential homes in the neighborhood, to always serve as a "buffer".

- A few years later, we found ourselves again in a battle with the church, as they circulated an "amendment" to the covenants and restrictions to wholly exempt themselves from all Stoneridge Estates II restrictions. They told neighbors that it was a "mistake" that their church was subject to these residential restrictions. Of course, those of us who were around before the church was built, understand that these restrictions were not only intended, but they were an express condition of the agreement to allow the church to exist in the first place.
- Again, the neighbors had to fight to stop this process, which clearly violated the amendment rules and procedures, and was contrary to their prior promises.
- With the current project, they have continued the same pattern. When discussing the project, they informed neighbors that the project was "totally within current zoning". What they failed to explain, however, was that (1) they had previously agreed to stipulations that were more restrictive than "current zoning" and (2) what they were really trying to do was to avoid those stipulations that had been agreed to.
- The official neighborhood outreach meeting for this project took place on January 25, 2016. I was told that "all the neighbors were happy with the project". Of course, there was no reason to be "unhappy" or to attend any meetings, because the church had previously informed neighbors that the project was "completely within current zoning".
- I got to the official outreach meeting at 4:30 on January 25, 2016, and stayed until 6:00 when the meeting closed. There were no other attendees other than church members while I was there. No one from the neighborhood. At that meeting, I also asked for a copy of the stipulations that they were asking to be amended. They did not have them, because they have never explained them to the neighbors in any of their meetings.

I understand that Staff is recommending that the stipulations be waived, based in part of the rosy picture that the church consistently paints. Please note that I have talked to many neighbors who oppose the project. Moreover, I have not met a single neighbor who had been told that the church was seeking to exempt itself from building height and parking stipulations that they previously agreed to.

I am not sure that I will be able to attend tomorrow's zoning hearing. If not, I am asking that the application be denied. Alternatively, I am asking that the matter be tabled until the neighbors are fully and truthfully informed that the church is seeking to amend stipulations on building height and parking restrictions that it previously agreed to.

Robert R. Yoder
Yoder & Langford, P.C.
4835 East Cactus Road, Suite 260
Scottsdale, Arizona 85254
(602) 808-9578

*IRS CIRCULAR 230 DISCLOSURE: Any tax advice contained in this email (including any attachments) is not intended to be used, and cannot be used, to (1) avoid penalties under the Internal Revenue Code, or (2) to promote, market or recommend any tax-related matter. This disclosure is provided to comply with IRS requirements.*

*PRIVILEGED AND CONFIDENTIAL: The contents of this email (including any attachments) are confidential and are for the exclusive use of the intended recipient. This communication may contain attorney-client privileged*

*information and/or attorney work product. If you received this communication in error, please contact the sender and delete the email from your system.*

April 15, 2016

To: Scottsdale City Council
re: case number: 2-ZN-2016
submitted: via Brad Carr

Respectfully requesting our letter and concerns be included in the file for review of this request.

As a resident of the neighborhood across Cactus from this proposed project, our request is that the proposed Fellowship Hall remain at the 38' height as originally approved and ask the requested increase in height to 50' be denied.

While the Church is a wonderful neighbor, whenever a celebration/event is scheduled, even sans the proposed Fellowship Hall, traffic on an already very busy Cactus Road increases... good grief, we can hardly get out on to the street now, let alone adding more events. I realize Cactus Road leads to 101 and we currently don't enjoy a zen-like existence, but this requested height increase will have a profound effect on the character and residential nature of our community.

Changing the previously approved building height impacts not only the activity level across the street at the Church, but sets a concerning precedent for the surrounding area. If the height is allowed to increase to 50', it next allows multi-family housing and taller office structures....no more mountains for anyone, and even crazier traffic. I realize we live in a great area and growth is a given but please appreciate the low building heights, night skies, and quality of life for which we each chose to live and participate in Scottsdale.

Like most everyone, our home is our largest investment. Thanking you in advance for your time and appreciation for your empathy in our request.

Mike & Susan Bolduc
11675 N. 83rd Place
Scottsdale, AZ 85260
sueboldue13@hotmail.com

Approved 4/13/2016 (lc)

**SCOTTSDALE PLANNING COMMISSION**
**KIVA-CITY HALL**
**3939 DRINKWATER BOULEVARD**
**SCOTTSDALE, ARIZONA**

**WEDNESDAY, MARCH 23, 2016**

***SUMMARIZED MEETING MINUTES***

**PRESENT:** Michael Edwards, Chair
Matthew Cody, Vice Chair
David Brantner, Commissioner
Paul Alessio, Commissioner
Larry S. Kush, Commissioner

**ABSENT:** Michael J. Minnaugh, Commissioner
Ali Fakih, Commissioner

**STAFF:** Tim Curtis
Joe Padilla
Randy Grant
Brad Carr
Greg Bloemberg

## CALL TO ORDER

Chair Edwards called the regular session of the Scottsdale Planning Commission to order at 5:01 p.m.

## ROLL CALL

A formal roll call was conducted confirming members present as stated above.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

**ATTACHMENT #10**

**MINUTES REVIEW AND APPROVAL**

1. Approval of March 2, 2016 Regular Meeting Minutes including the Study Session.

   **COMMISSIONER ALESSIO MOVED TO APPROVE THE MARCH 2, 2016 REGULAR MEETING MINUTES INCLUDING THE STUDY SESSION, SECONDED BY VICE CHAIR CODY THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF FIVE (5) TO ZERO (0).**

## EXPEDITED AGENDA

2. **5-GP-2015 (La Bella Breeza)**
   Request by owner for a non-major General Plan Amendment to the City of Scottsdale General Plan 2001 to change the land use designation from Rural Neighborhoods to Suburban Neighborhoods on a 4+/- acre site located near the southwest corner of E. Shea Boulevard and N. 110th Street. Staff contact person is Brad Carr, AICP, 480-312-7713. **Applicant contact person is Alan Kravitz, 480-614-0001.**

3. **17-ZN-2015 (La Bella Breeza)**
   Request by owner for a Zoning District Map Amendment from Single-family Residential (R1-35) zoning to Medium Density Residential (R-3) zoning on an 4+/- acre site located near the southwest corner of E. Shea Blvd. and N. 110th Street. Staff contact person is Brad Carr, AICP, 480-312-7713. **Applicant contact person is Alan Kravitz, 480-614-0001.**

4. **6-GP-2015 (Skye on McDowell)**
   Request by owner for a non-major General Plan Amendment to the City of Scottsdale General Plan 2001 to change the land use designation from Mixed Use Neighborhoods to Urban Neighborhoods on an 8+/- acre site located at the southwest corner of 70th St and McDowell Road (6855, 6861, 6863, 6901, 6905, 6913 and 6925). Staff contact person is Greg Bloemberg, 480-312-4306. **Applicant contact person is John Berry, 480-385-2727.**

5. **18-ZN-2015 (Skye on McDowell)**
   Request by owner for a Zoning District Map Amendment from Highway Commercial (C-3) and General Commercial (C-4) to Multi-Family Residential (R-5) zoning on an 8+/- acre site located at the southwest corner of 70th St and McDowell Road (6855, 6861, 6863, 6901, 6905, 6913 and 6925). Staff contact person is Greg Bloemberg, 480-312-4306. **Applicant contact person is John Berry, 480-385-2727.**

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

6. **2-ZN-2016 (Assumption Greek Orthodox Church)**
Request by owner for a Zoning District Map Amendment to amend and modify the stipulations of previous zoning cases 26-ZN-1988 and 26-ZN-1988#2, including to allow for additional building height for a 6 +/- acre site located at 8202 E. Cactus Road with Single-family Residential (R1-35) and Parking P-2; Passenger Vehicle Parking (P-2) zoning. Staff contact person is Brad Carr, AICP, 480-312-7713. **Applicant contact person is Matt Personne, 480-473-3700**.

Written comment card: Dwight Groth

**Item No's. 2, 3, 4, 5 & 6: Recommended City Council approve cases 5-GP-2015, 17-ZN-2015, 6-GP-2015, 18-ZN-2015 & 2-ZN-2016, by a vote of 5-0; Motion by Commissioner Brantner, for non-major General Plan amendments to the City of Scottsdale General Plan 2001 to change the land use designations, after determining that the proposed Zoning District Map amendments are consistent and conform with the adopted General Plan, per the staff recommended stipulations, 2nd by Commissioner Kush.**

## ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 5:04 p.m.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

# PLANNING COMMISSION REPORT

Meeting Date: March 23, 2016
General Plan Element: *Neighborhoods*
General Plan Goal: *Encourage context-appropriate development*

## ACTION

**Assumption Greek Orthodox Church**
**2-ZN-2016**

**Request to consider the following:**

A recommendation to City Council regarding a request by owner for a Zoning District Map Amendment to amend and modify the stipulations of previous zoning cases 26-ZN-1988 and 26-ZN-1988#2, including to allow for additional building height for a 6 +/- acre site located at 8202 E. Cactus Road with Single-family Residential (R1-35) and Parking P-2; Passenger Vehicle Parking (P-2) zoning.

### Key Items for Consideration

- Amendment to allowable building height would align proposed fellowship hall with current requirements for places of worship
- Amendment clarifies development requirements for church site moving forward
- Staff has received input in opposition to proposed building height changes

## OWNER

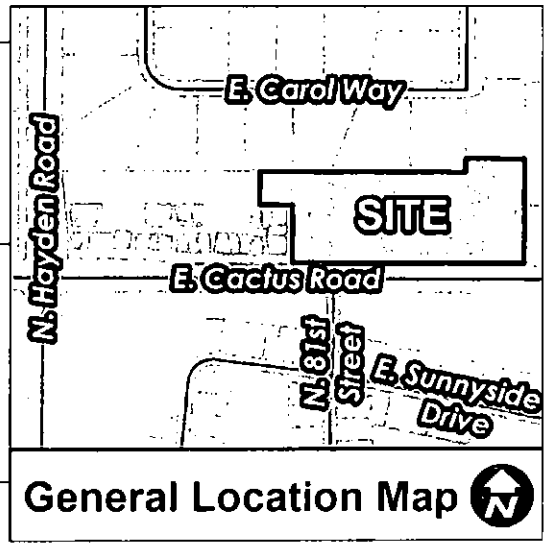
Assumption Greek Church
480-991-3717

## APPLICANT CONTACT

Matt Personne
Catclar Investments
480-473-3700

## LOCATION

8202 E. Cactus Road




Action Taken _____

## BACKGROUND

### General Plan

The General Plan Land Use Element designates the property as Rural Neighborhoods. This category includes areas of relatively large lot single-family neighborhoods.

### Zoning

The site is zoned Single-family Residential (R1-35) and Parking P-2; Passenger Vehicle Parking (P-2). The R1-35 zoning district is intended to promote and preserve residential development and uses incidental or accessory thereto, together with required recreational, religious and educational facilities. The P-2 zoning district is intended to provide off-street parking areas.

### Context

The subject property is located on the north side of E. Cactus Road approximately 800 feet east of the intersection of E. Cactus Road and N. Hayden Road and is surrounded by a mix of uses including single-family residential, office and golf course uses. Please refer to context graphics attached.

### Adjacent Uses and Zoning

- North: Existing single-family homes are located north of the site in the Single-family Residential (R1-35) zoning district.
- South: E. Cactus Road abuts the property to the south. An existing golf course and single-family homes are located further south in the Single-family Residential, Planned Residential Development (R1-18 PRD) zoning district.
- East: Existing single-family homes are located east of the site in the Single-family Residential (R1-35) zoning district.
- West: An existing office development is located west of the site in the Service Residential (S-R) and Parking P-2; Passenger Vehicle Parking (P-2) zoning districts.

### Other Related Policies, References:

Scottsdale General Plan 2001, as amended
Zoning Ordinance
26-ZN-1988 – original rezoning of site to current R1-35 & P-2 zoning classifications
16-UP-1988 – original use permit for a church at the subject site
26-ZN-1988#2 – amendment to the timing stipulations of case 26-ZN-1988 (Ordinance No. 2598)

## APPLICANTS PROPOSAL

### Goal/Purpose of Request

The applicant's request is for a Zoning District Map Amendment to amend and modify the stipulations of previous zoning cases 26-ZN-1988 and 26-ZN-1988#2. The amendment to the previous zoning stipulations will permit additional height for the proposed multi-purpose building as well as allow lighting on external hallways of the second floor of the multi-purpose building. It will also clarify the submittal requirements for the Development Review Board submittal for the multi-purpose building.

### Development Information

- Existing Use: Place of worship
- Proposed Use: Place of worship
- Buildings/Description: Existing sanctuary and accessory buildings / new multi-purpose building
- Parcel Size: 6 +/- gross acres / 5.2 +/- net acres
- Building Height Allowed: 38 feet for sanctuary / 25 feet for multi-purpose building
- Building Height Proposed: 38 feet for sanctuary / 30 feet for multi-purpose building
- Parking Required: 304 spaces
- Parking Provided: 311 spaces (198 spaces on site / 113 spaces on adjacent site)
- Open Space Required: 69,945 sf / 1.6 acres
- Open Space Provided: 121,066 sf / 2.8 acres
- Floor Area: 35,526 sf
- FAR Allowed: 0.2
- FAR Proposed: 0.16

## IMPACT ANALYSIS

### Land Use

The applicant's request is to modify three stipulations of the site's prior zoning approvals. During the original rezoning for the present church use on the site and the office use on the accompanying site to the west, the height of the sanctuary and the planned multi-purpose building were stipulated to 38 feet and 25 feet, respectively. The sanctuary was built in the 1990s at the maximum height of 38 feet. The multi-purpose building was not built and now the applicant is seeking to construct the building utilizing a similar design to the original proposal, but with an alteration to the overall height from 25 feet to 30 feet. A Conditional Use Permit (CUP) for the church was also required at the time of the original rezoning approval, but subsequent updates to the Zoning Ordinance has removed the requirement for places of worship to obtain a CUP in single-family residential zoning districts.

The applicant's request would increase the maximum building height for the multi-purpose building on the site from 25 feet to 30 feet. The 30-foot maximum building height requirement is consistent with current Zoning Ordinance requirements for maximum building height of single-family residences and places of worship in single-family residential zoning districts, similar to the R1-35 zoning that the site currently has. Existing single-family residences surrounding the site currently have the ability to build two or three story structures to a maximum height of 30 feet. The proposed amendment to the zoning stipulations of the subject site would allow the proposed multi-purpose building on the site to employ the same maximum building height.

The applicant is also requesting to amend the stipulations of the prior zoning approvals to increase the maximum height at which lighting can be located on the site. As currently stipulated, lighting on the church site cannot exceed a height of 10 feet. The proposed amendment would allow lighting to

be located at the exterior hallways on the second floor of the new multi-purpose building. Those external hallways face the internal courtyard of the proposed building and are not directly visible from the single-family residential homes located north of the site. Although a reduction in mounting height of lighting is often utilized for sites adjacent to sensitive uses, such as single-family residences, the reduced mounting height does require the use of more lighting fixtures to produce adequate lighting coverage than would be used if the mounting height of the lighting fixtures were raised. An increase in the mounting height of light fixtures for the second-floor outdoor hallways will be shielded on three sides by the proposed building.

Finally, the applicant is requesting to clarify the requirements for the Development Review Board submittal of the proposed multi-purpose building. The amendment to the previous stipulation would remove the requirement to submit cross-sections of the proposed site and adjoining residences. The applicant is requesting to follow current submittal requirements with regards to review of the proposed building design by the Development Review Board.

### Airport Vicinity

The site is located within the AC-1 area of the Airport Influence Zones, which allows for the church and ancillary uses. The church is not subject to restrictions but will require the owner of the property to disclose the site's proximity to the Scottsdale Airport to any tenants or users of the buildings on the site.

### Traffic/Trails

The Transportation Department has reviewed the proposed development, including access points and pedestrian circulation. The proposed changes to the zoning stipulations from the existing approvals for the site (26-ZN-1988 & 26-ZN-1988#2) do not alter the existing traffic circulation or access to the site. There is an existing trail located along the north side of E. Cactus Road, adjacent to the site and there are plans to alter that trail location. There is also a planned trail located within the drainage channel that runs north – south at the western side of the site that connects to the subdivision north of the site. The applicant has agreed to dedicate a trail easement for that future trail. There are no anticipated traffic impacts as a result of the proposal.

### Water/Sewer

The City's Water Resources Department has reviewed the applications and finds that there are adequate water and wastewater services for the proposed development.

### Public Safety

The City's public safety departments have reviewed the applications and find that there is adequate ability to provide fire and police services for the proposed use. Overall, the City's emergency and non-emergency activities are continually monitored and tracked to evaluate the effectiveness of our service delivery and also to identify any potential for future public safety resource needs for the community. No impacts are anticipated as a result of the proposed rezoning request.

### Open Space

The proposed development is required to provide a minimum of 30% of the site to be open space. The project is providing this open space in areas along E. Cactus Road, within pedestrian corridors throughout the site and in large open space areas at the eastern side of the site. Another open

space area will be provided within the drainage channel at the western side of the site. The proposed site plan meets all open space requirements.

### Community Involvement

The applicant notified all property owners within 750 feet of the site and held an open house to present the requests on January 25, 2016. The city also notified all property owners within 750 feet of the site. City staff has received letters and phone calls of concern to the proposed request siting concerns of additional height for the multi-purpose building. The applicant submit an email in support of the request as well. Copies of the applicant's Citizen Review Report and neighborhood correspondence are part of Attachment #7.

### Community Impact

The increase in height may slightly obstruct the views to the south of adjacent residences located north of the site. However, the applicant's proposed revision to the height is not requesting any additional height beyond what is currently permitted by-right in the Zoning Ordinance for places of worship in residential zoning districts. The location of the proposed multi-purpose building is as close to E. Cactus Road as is permitted to further reduce the impact of the building to adjacent single-family residential properties. The proposed changes to the maximum height of lighting for the outdoor hallways on the second floor of the proposed multi-purpose building will be screened by the new building on three of the four sides and are not anticipated to negatively affect neighboring properties. Finally, the requested amendments to the Development Review Board submittal requirements would align with the current requirements while ensuring adequate information is presented and reviewed through the Development Review Board process.

## OPTIONS & STAFF RECOMMENDATION

### Recommended Approach:

Staff recommends that the Planning Commission determine that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan, and make a recommendation to City Council for approval, per the attached stipulations.

## RESPONSIBLE DEPARTMENT

**Planning and Development Services**
Current Planning Services

## STAFF CONTACT

Brad Carr, AICP, LEED-AP
Senior Planner
480-312-7713
E-mail: bcarr@ScottsdaleAZ.gov

## APPROVED BY

Brad Carr, AICP, LEED-AP, Report Author — Date: 3.17.2016

Tim Curtis, AICP, Current Planning Director — Date: 3/17/2016
480-312-4210, tcurtis@scottsdaleaz.gov

FOR
Randy Grant, Director — Date: 3/18/2016
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

## ATTACHMENTS

1. Stipulations
   Exhibit A to Attachment 1: Site Plan
2. Additional Information
3. Applicant's Narrative
4. Context Aerial

4A. Aerial Close-Up

5. General Plan Map
6. Zoning Map
7. Citizen Review Report and Neighborhood Involvement
8. City Notification Map
9. Stipulations for case 26-ZN-1988#2

# Stipulations for the Zoning Application: Assumption Greek Orthodox Church Case Number: 2-ZN-2016

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

## GOVERNANCE

1. APPLICABILITY. The stipulations of cases 26-ZN-1988 and 26-ZN-1988#2 continue to apply to the subject site, except as amended below.

## SITE DESIGN

2. CONFORMANCE TO CONCEPTUAL SITE PLAN. Development shall conform with the conceptual site plan submitted by PHX Architecture and with the city staff date of 1/19/2016, attached as Exhibit A to Attachment #1. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
3. BUILDING HEIGHT LIMITATIONS. The maximum height of the church multi-purpose building shall be thirty (30) feet and the maximum height of the sanctuary shall be thirty-eight (38) feet, measured as provided in the applicable section of the Zoning Ordinance.
4. OUTDOOR LIGHTING. The maximum height of any outdoor lighting source, except any light sources for patios, balconies and/or outdoor hallways on the second floor of the multi-purpose building, shall be 10 feet above the adjacent finished grade.
5. OUTDOOR LIGHTING FOR PATIOS, BALCONIES AND OUTDOOR HALLWAYS. Light sources that are utilized to illuminate patios and/or balconies on the second floor of the multi-purpose building only that are located above 10 feet in height shall be subject to the approval of the Development Review Board.
6. SITE AND BUILDING REVIEW. In lieu of a north-south cross section as required by stipulation #17 of the prior zoning approval, with the Development Review Board submittal for the multi-purpose building, the owner shall submit building elevations and any other documentation required to ensure appropriate review of design of proposed multi-purpose building by adjoining property owners.
7. ADDITIONAL LANDSCAPING. With the Development Review Board submittal, the owner shall provide plans that show additional trees, with a minimum height of 13 feet, to be planted along the south side of the multi-purpose building.

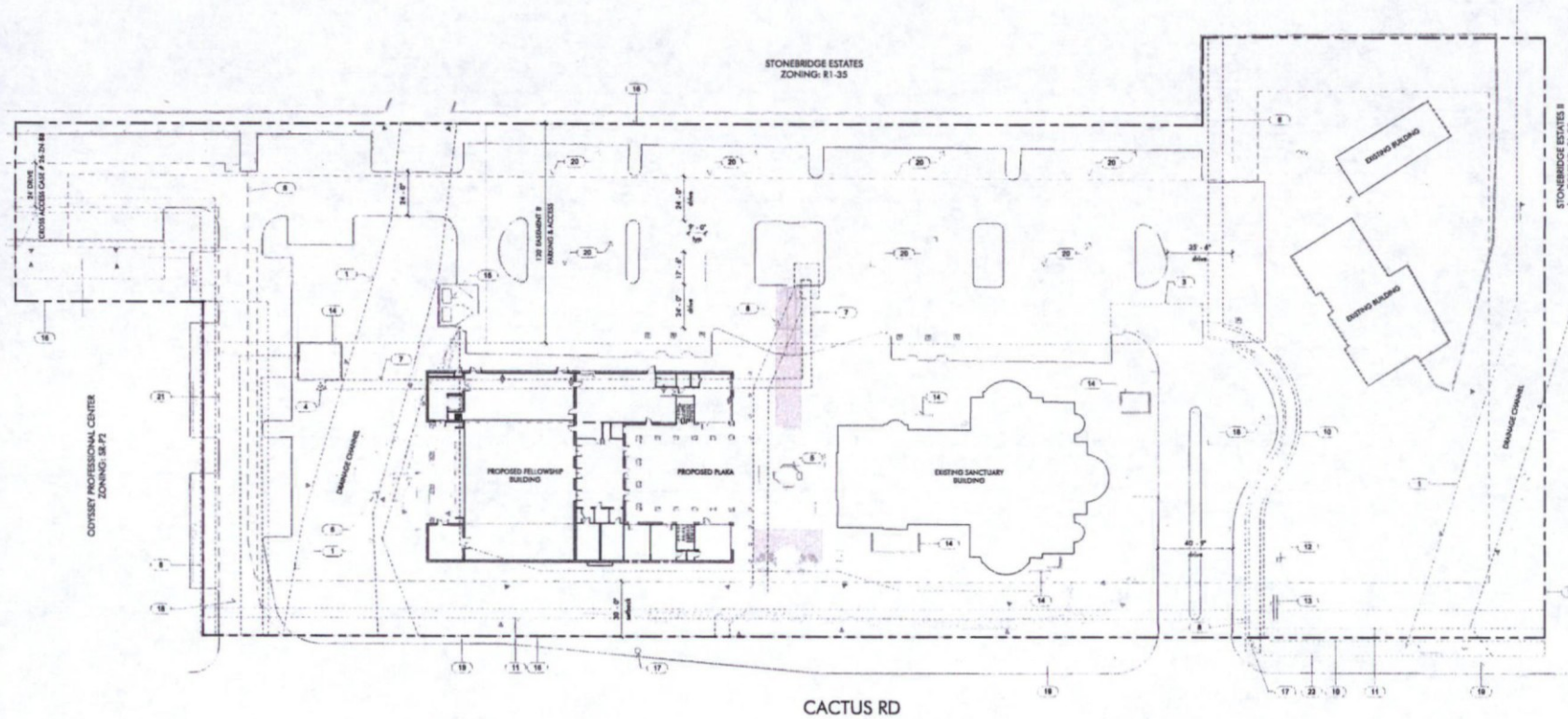
## AIRPORT

8. AIRCRAFT NOISE AND OVERFLIGHT DISCLOSURE. With any Development Review Board submittal for the site, the owner shall provide a copy of the noise disclosure notice that will be provided to occupants, employees and/or students in a form acceptable to the Scottsdale Aviation Director.

9. AVIGATION EASEMENT. With the Development Review Board submittal for the multi-purpose building, the owner shall provide a signed and completed Avigation Easement in a form acceptable to the City for recording.

**INFRASTRUCTURE AND DEDICATIONS**

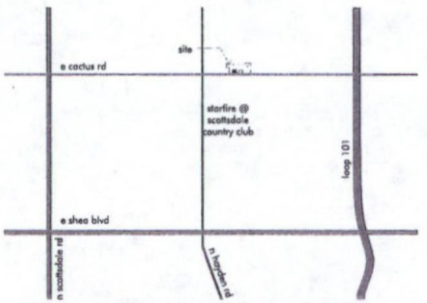
10. MULTI-USE TRAIL – CACTUS ROAD. Before any Certificate of Occupancy is issued for the multi-purpose building on the site, the owner shall construct a minimum 10-foot wide multi-use trail. The trail shall be located adjacent to the existing sidewalk. The alignment of the trail shall be subject to approval by the city's Transportation General Manager, or designee, and shall be designed in conformance with the Design Standards and Policies Manual.
11. MULTI-USE PATH AND TRAIL EASEMENT – CACTUS ROAD. Before any issuance of permit for the multi-purpose building on the site, the owner shall dedicate a Public Non-Motorized Access easement over any portion of the existing sidewalk along E. Cactus Road that is located outside of the right-of-way. The Public Non-Motorized Access easement shall also cover the extents of the new 10-foot wide trail that is located outside of the right-of-way.
12. MULTI-USE TRAIL EASEMENT – WEST SIDE. Before any building permit is issued for the site, the owner shall dedicate a 15-foot wide Public Non-Motorized Access easement for a multi-use trail along the drainage channel located near the western side of the site. The design and landscaping of the parking area shall provide a clear and delineated corridor for the trail crossing. The alignment of the trail and easement shall be subject to approval by the city's Transportation General Manager, or designee, prior to easement dedication.




1 **SITE PLAN**
SCALE: 1" = 30'-0"

NORTH

Exhibit A to Attachment #1




VICINITY MAP

NORTH

## C.O. SCOTTSDALE NOTES

A. SIGHT DISTANCE TRIANGLES SHALL BE SHOWN ON FINAL PLANS FOR DRIVEWAYS FROM COMMERCIAL SITES AND ANY INTERSECTIONAL AREA WITHIN THE SAFETY TRIANGLE IS TO BE CLEAR OF LANDSCAPING, SIGNS OR OTHER VISIBILITY OBSTRUCTIONS WITH A HEIGHT GREATER THAN 1.5 FEET. TREES WITHIN THE SAFETY TRIANGLE SHALL BE SINGLE TRUNK AND HAVE A CANOPY THAT BEGINS AT 8 FEET IN HEIGHT UPON INSTALLATION. ALL HEIGHTS ARE MEASURED FROM THE NEAREST STREET LINE ELEVATION.

B. TEMPORARY/SECURITY FENCING THAT IS REQUIRED OR IS OPTIONALLY PROVIDED SHALL BE IN ACCORDANCE WITH THE ZONING ORDINANCE AND THE DESIGN STANDARDS AND POLICIES MANUAL.

C. THE TEMPORARY /SECURITY FENCE LOCATION SHALL NOT BE MODIFIED OR THE TEMPORARY /SECURITY FENCE LOCATION SHALL NOT BE WITHOUT THE APPROVAL OF THE PLANNING AND DEVELOPMENT SERVICES INSPECTION SERVICES DIVISION.

D. ALL RIGHTS-OF-WAY ADJACENT TO THIS PROPERTY SHALL BE LANDSCAPED AND MAINTAINED BY THE PROPERTY OWNER.

E. ALL SIGNS REQUIRE SEPARATE PERMITS AND APPROVALS.

F. A MASTER SIGN PROGRAM SHALL BE SUBJECT TO THE APPROVAL OF THE DEVELOPMENT REVIEW BOARD PRIOR TO THE ISSUANCE OF A SIGN PERMIT FOR MULTI-TENANT BUILDINGS.

G. NO EXTERIOR VENDING OR DISPLAY SHALL BE ALLOWED.

H. FLAGPOLES, IF PROVIDED, SHALL BE ONE PIECE CONICAL TAPERED.

I. NO EXTERIOR PUBLIC ADDRESS OR SPEAKER SYSTEM SHALL BE ALLOWED.

J. PATIO UMBRELLAS, IF PROVIDED, SHALL BE SOLID COLORS AND SHALL HAVE ANY ADVERTISING IN THE FORM OF SIGNAGE OR LOGOS.

K. ALL EXTERIOR MECHANICAL, UTILITY, AND COMMUNICATION EQUIPMENT SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST UNIT BY PARAPET OR SCREEN WALL THAT MATCHES THE ARCHITECTURAL COLOR AND ARCHITECTURAL FINISH OF THE BUILDING. GROUND MOUNTED MECHANICAL, UTILITY, AND COMMUNICATION EQUIPMENT SHALL BE SCREENED BY A SCREEN WALL THAT MATCHES THE ARCHITECTURAL COLOR AND ARCHITECTURAL FINISH OF THE BUILDING, WHICH IS A MINIMUM OF 1'-0" HIGHER THAN THE HIGHEST POINT OF THE TALLEST UNIT (DETAILS ARE STILL REQUIRED.)

L. ALL EQUIPMENT, UTILITIES, OR OTHER APPURTENANCES ATTACHED TO THE BUILDING DESIGN IN TERMS OF FORM, COLOR AND TEXTURE.

M. NO EXTERIOR VISIBLE LADDERS SHALL BE ALLOWED.

N. ALL POLE MOUNTED LIGHTING SHALL BE A MAXIMUM OF 30' IN HEIGHT.

O. NO CHAIN LINK FENCING SHALL BE ALLOWED.

P. NO TURF AREAS SHALL BE PROVIDED.

## GENERAL SITE PLAN NOTES

A. REFER TO LANDSCAPE DRAWINGS FOR ALL PLANTER AND LANDSCAPED AREAS.
B. REFER TO CIVIL DRAWINGS FOR GRADING, DRAINAGE AND ADDITIONAL TOPOGRAPHIC INFORMATION.
C. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES 5% MINIMUM FOR THE FIRST 10 FEET. AN APPROVED GRADING & DRAINAGE PLAN SHALL BE KEPT ON SITE AT ALL TIMES. DEVIATIONS FROM THE PLAN MUST BE PRECEDED BY AN APPROVED REVISION.
D
E. REFER TO CIVIL FOR UTILITY INFORMATION. CONTRACTOR TO PROVIDE SOIL COMPACTION TEST RESULTS AS REQUIRED TO THE CITY ENGINEER'S OFFICE.
F. COORDINATE WITH ALL UTILITY COMPANIES FOR FINAL LOCATION OF METERS, DEVICES, AND ROUTING. CONTRACTOR TO PROVIDE ALL REQUIRED MATERIAL AND LABOR FOR INSTALLATION OF ALL REQUIRED UTILITIES.
G. MAINTAIN A MINIMUM DISTURBANCE OF SITE DURING CONSTRUCTION.
H. EXCESS FILL DIRT (IF ANY) TO BE HAULED AWAY OR DISPOSED OF PER THE OWNER'S REQUEST.
I. VERIFY WITH THE OWNER THE DEMOLITION OR RELOCATION OF ALL EXISTING LANDSCAPE MATERIALS AND SITE ITEMS PRIOR TO COMMENCEMENT OF NEW CONSTRUCTION.
J. CONTRACTOR SHALL FIELD VERIFY ALL SITE ITEMS AND THE COORDINATION OF NEW CONSTRUCTION WITH ZONING SETBACK REQUIREMENTS. NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.
K. VERIFY ALL GRADES IN FIELD.
L. SEE ELECTRICAL SHEETS FOR SWITCHING OF EXTERIOR ELECTRICAL.
M. SUBGRADE TO BE COMPACTED TO 95% OF MAXIMUM DENSITY WITH CONCRETE SLAB OVER A.B.C. AS SPECIFIED ON THE STRUCTURAL DRAWINGS.
N. WATERPROOF ALL ABOVE-GROUND PLANTERS AND RETAINING WALLS.
O. ALL MECHANICAL EQUIPMENT SHALL BE SCREENED, WHERE APPLICABLE, A MINIMUM OF 1'-0" HIGHER THAN THE HIGHEST PORTION OF THE EQUIPMENT, AND SHALL MATCH THE ADJACENT BUILDING MATERIAL.
P. USE A NATURAL PLACEMENT OF STONES HARVESTED FROM THE SITE AND INTERSPERSE WITH APPROPRIATE VEGETATION. THE STONES SHOULD NOT BE PILED ON THE GROUND BUT INSET INTO THE SOIL SPARINGLY SO THAT THE NET APPEARANCE IS 50% SOIL AND 50% VISIBLE STONE. VISIT DC RANCH SAMPLE YARD FOR BUILT EXAMPLE.
Q. PROVIDE 36" GUARDRAILS AT ALL CHANGE IN ELEVATIONS THAT ARE GREATER THAN 30" (R312)

## PROJECT DATA

| | |
|---|---|
| APN# | 175-11-005D |
| Address | 8202 E. Cactus Road<br>Scottsdale, Arizona 85260 |
| Site Area | 234,182 sf / 5.1465 Acres |
| Easements: | Drainage Easement<br>Emergency & Service Vehicle Access Easement<br>Access Easement<br>Access & Utility Easement<br>Utility (Cell Tower) Easement<br>Electric Easement<br>Trail Easement<br>Public Utility Easement (PUE)<br>Right of Way Easement (ROW)<br>Water Easement<br>Parking & Access Easement<br>Public Utilities, Equestrian, Bicycle & Pedestrian Path Easement |
| Related Cases: | 36-ZN-88, 36-ZN-88#2 |
| Zoning District: | R1-35 |
| Use: | Community/Recreation Building |
| Setbacks: | 30' N. Cactus Rd |
| Proposed Height: | 30'-0" |
| Bldg Height Allowed: | 3' above natural grade |
| Proposed Bldg. Area: | 20,881 sf |
| Gross Floor Area: | 13,376 sf 1st Floor 7,515 sf 2nd Floor<br>20,891 sf |
| Parking Required: | 304 Spaces |
| Reciprocal Easement Agreement: | 113 Additional Spaces (A) |
| Total Parking Provided: | 177 Spaces<br>14 Spaces on West<br>+7 ADA Spaces<br>198 Spaces Provided on Site Existing (B) |
| | TOTAL PROVIDED: A+B: 113+198= 311 Spaces Total |
| Accessible Parking Required: | 4% of Provided (191) = 7 Spaces |
| Total Accessible Parking Provided: | 7 Spaces (Existing) |

## KEYNOTES

1 DRAINAGE EASEMENT
2 ACCESS & UTILITY EASEMENT
3 ACCESS EASEMENT
4 CELL TOWER
5 EXIST NG GAZEBO
6 NEW TERRACED AMPHITHEATRE LANDSCAPE DRAWINGS
7 UTILITY/CELL TOWER EASEMENT
8 ELECTRIC EASEMENT
9 PUBLIC & EMERGENCY VEHICLE EASEMENT
10 PUE EASEMENT
11 TRAIL EASEMENT
12 EXISTING CROSS
13 EXISTING SIGNAGE
14 SITE WALL
15 EXIST NG TRASH ENCLOSURE
16 PROPERTY LINE
17 EXIST NG FIRE HYDRANT
18 EXISTING DRIVEWAY
19 EXIST NG CONCRETE SIDEWALK
20 9' X 17'-0" PARKING SPACE, TYP
21 WATER EASEMENT
22 PUBLIC UTILITIES, EQUESTRIAN, BICYCLE & PEDESTRIAN PATH EASEMENT

PHXARCH
15990 N. GREENWAY HAYDEN LOOP
SUITE C-100
SCOTTSDALE, AZ 85260
T 480.477.1111
F 480.588.3958
PHXARCH.COM

# ASSUMPTION FELLOWSHIP HALL
## Tenant Improvements
## 8202 E. Cactus Road, Scottsdale AZ 85260

NOT FOR CONSTRUCTION

DESIGN BY: TI
PROJECT NO: 12
DATE: November 03 2
CONTENTS: SITE PLAN
SCALE: As indicat
DRAWING NUMBER: A101

2-ZN-2016
1/19/16

# Additional Information for:

# Assumption Greek Orthodox Church

# Case: 2-ZN-2016

**PLANNING/DEVELOPMENT**

1. DEVELOPMENT CONTINGENCIES Each element of this zoning case—including density/intensity, lot/unit placement, access and other development contingencies—may be changed as more information becomes available to address public health, safety and welfare issues related to drainage, open space, infrastructure and other requirements.
2. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
   a. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use; and
   b. the location and design of the multi-purpose building, including window design and placement and building massing, to ensure an appropriate visual and height relationship between the site and the adjacent residences.
3. RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE. The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
4. EASEMENTS CONVEYED BY SEPARATE INSTRUMENT. Before any building permit is issued for the site, each easement conveyed to the city separate from a final plat shall be conveyed by an instrument or map of dedication subject to city staff approval, and accompanied by a title policy in favor of the city, in conformance with the Design Standards and Policies Manual.
5. FEES. The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
6. CONSTRUCTION COMPLETED. Before any Certificate of Occupancy is issued for the site, the owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations, in conformance with the Design Standards and Policies Manual and other applicable standards.

catclar
INVESTMENTS

To: City of Scottsdale
Planning, Neighborhood & Transportation Division
7447 E Indian School Road Suite 105, Scottsdale, AZ 85251

From: Catclar Investments, LLC.

Date: 3/7/16

Re: Assumption Greek Orthodox Church Zoning Adjustment

The applicant is requesting to modify or remove the following stipulations from zoning cases 26-Z-88, 26-Z-88#2 and 16-UP-88.

**3. The Maximum height of any outdoor lighting on the building or in the parking area shall be 10 feet.**

**9. The maximum height of the church multi-purpose building shall be 25 feet and the sanctuary shall be 38 feet.**

**17. The applicant shall provide as part of the Development Review Board a north-south cross section of the site and adjoining residence. The Board shall pay particular attention to the cross section in order to assure an appropriate visual and height relationship between the site and the adjacent residences.**

The applicant is asking to modify stipulation #3 concerning site lighting to allow lighting on 2nd floor outdoor hallways of the new multi-purpose building. Existing Site Lighting will remain at 10' per stipulation #3.

The applicant is asking to remove Stipulation #9 governing building height on the site. The applicant is requesting that the 25' building height be rescinded and a 30' building height, per current R1-35 standards, be allowed in order to facilitate the construction of a new Fellowship Hall on the property.

The property is currently zoned as S-R. During the original 1988 zoning hearing for the construction of the existing Sanctuary building, a stipulation was placed restricting the building height to 25'. The property is abutted to the North and East by single family residential homes zoned R1-35. The homes were developed at the time of the construction of the current Church Sanctuary building. Currently, R1-35 zoning district

**ATTACHMENT #3**

standards allow for a building height of 30'. Based on outreach done by the Church, both through the Citizen Review process and additional outreach, the adjacent neighbors are in favor of allowing the stipulation to be removed.

The applicant is requesting to remove stipulation #17, a request to submit a north-south cross section of the site and adjoining residences. Current Design Review Board submittals include elevations of all the proposed buildings as part of the review process. In addition, all new construction will adhere to current zoning standards.

Sincerely,

Matt Personne
Director of Development
Catclar Investments, LLC

ATTACHMENT #4




**Assumption Greek Orthodox Church**

**2-ZN-2016**

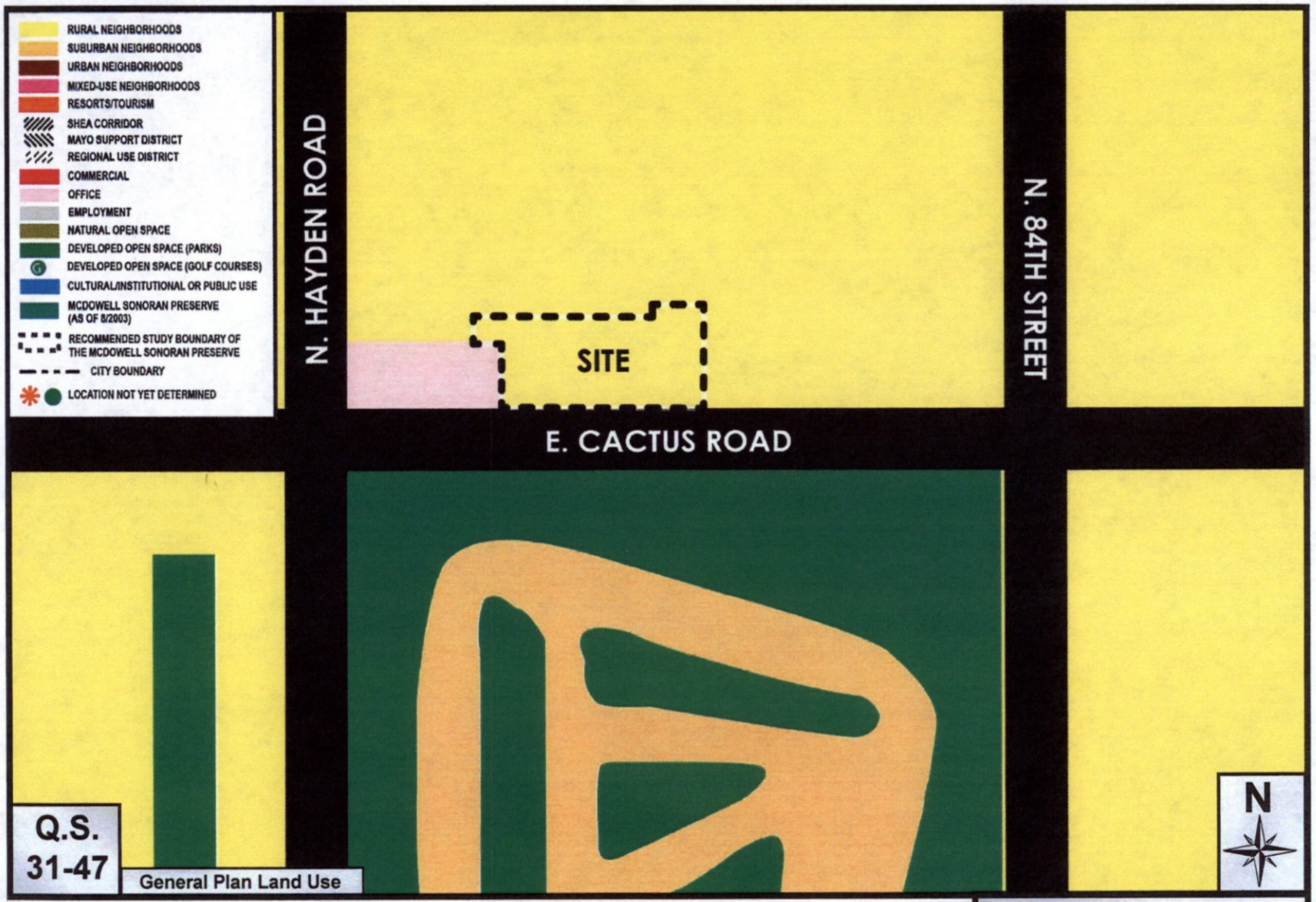
ATTACHMENT #4A




**Assumption Greek Orthodox Church**

**2-ZN-2016**

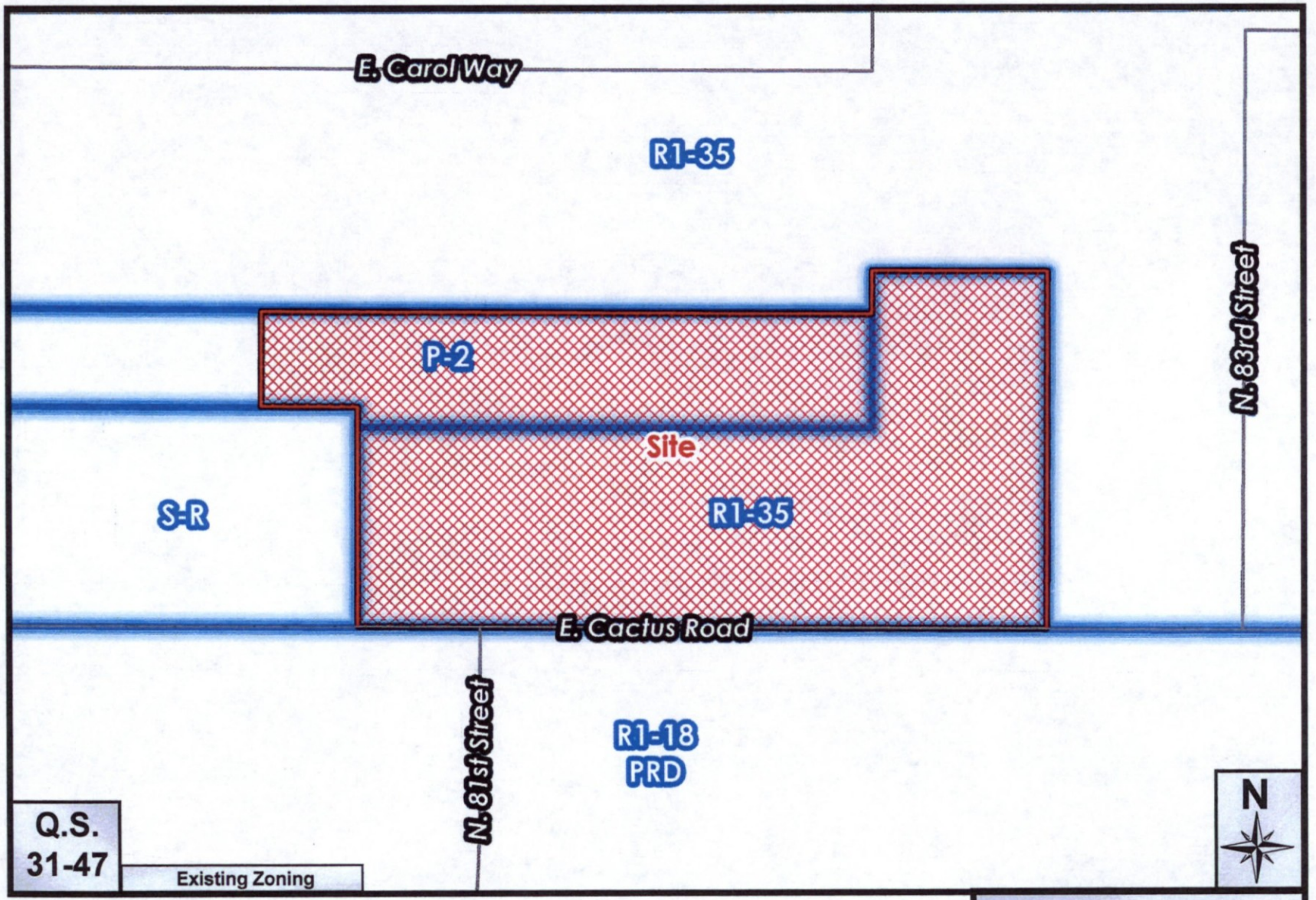
ATTACHMENT #5




**Assumption Greek Orthodox Church**

**2-ZN-2016**

ATTACHMENT #6




**Assumption Greek Orthodox Church**

**2-ZN-2016**

**Carr, Brad**

**Subject:** Case # 67-DR-2015

I am a homeowners in Stoneridge Estates at 12231 N 83rd St and received a "Keeping you Informed" postcard in regards to the above mentioned case # 67-DR-2015. I'm unsure of the steps necessary to get this approved or denied but on the postcard it mentions to email comments to this address.

Overall this addition to the existing church development is exactly what is not wanted nor expected in a R1-35 zoning community. The size of the structure, both height and overall sq. ft. would drastically change the immediate feel of the predominately all residential area. There is no structure close to this overall size on Cactus. The existing Odyssey Professional Center is a complex of numerous buildings which matches the current landscape and feel of the area and is on an almost completely unusable corner for residential purposes. This "Fellowship Hall" would set more of a precedence of developing Cactus Rd to mimic Shea Blvd from the 101 through Scottsdale. The intersection of Hayden & Cactus is already a pretty dangerous, high accident area and the additional traffic and congestion would only further the existing problem.

If any expansion on my opinion is required or additional paperwork is needed for me to help stop this site plan please contact me by either mail or phone.

Brian A Klimes
480.219.6733
12231 N 83rd St
Scottsdale, AZ 85260

**ATTACHMENT #7**

## Carr, Brad

**From:** Carr, Brad
**Sent:** Thursday, December 24, 2015 9:04 AM
**To:** 'groth5rock@gmail.com'
**Subject:** RE: Scanned document from HP ePrint user

The church dome is at 38 feet.

Brad

**From:** groth5rock@gmail.com [mailto:groth5rock@gmail.com]
**Sent:** Monday, December 21, 2015 5:22 PM
**To:** Carr, Brad
**Subject:** Re: Scanned document from HP ePrint user

Do you know how tall the church dome is, for comparison?

Sent from my iPhone

On Dec 21, 2015, at 8:37 AM, Carr, Brad <bcarr@scottsdaleaz.gov> wrote:

> Hello Dwight,
>
> To answer your questions:
>
> 1. The new building is proposed at an overall height of 30 feet, 2 stories.
> 2. The building located at the NE corner of the property is not included in the application to the city. I would defer the disposition of that building to the applicant.
>
> Regards,
>
> **Brad Carr, AICP LEED-AP**
> *Senior Planner*
> City of Scottsdale
> Current Planning Services
> 7447 E. Indian School Rd., Ste 105
> Scottsdale, AZ 85251
> 480.312.7713p 480.312.7088f
>
> **From:** groth5rock@gmail.com [mailto:groth5rock@gmail.com]
> **Sent:** Saturday, December 19, 2015 11:51 AM
> **To:** Carr, Brad
> **Cc:** mpnassos@gmail.com
> **Subject:** Fw: Scanned document from HP ePrint user
>
> I have a couple of questions and concerns regarding this project.
>
> #1: Height of the new building. I do not mind the height of the current church dome, but I would object to a secondary building that is tall. 2 stories really concerns me.

#2: What is the plan for the building in the NE corner of the property? The building looks like it is waiting on a roof/tiles to be installed.

Respectfully,
Dwight Groth

Sent from Windows Mail

**From:** eprintcenter@hp.com
**Sent:** Saturday, December 19, 2015 11:18 AM
**To:** Dwight Groth

This email and attachment are sent on behalf of **groth5rock@gmail.com**.

If you do not want to receive this email in future, you may contact **groth5rock@gmail.com** directly or you may consult your email application for spam or junk email filtering options.

Regards,
HP Team

## Carr, Brad

**From:** Matt P [mailto:mattp@catclar.com]
**Sent:** Wednesday, March 16, 2016 5:27 PM
**To:** Carr, Brad
**Cc:** Irene Catisbris Clary
**Subject:** Fwd:

Brad,
Irene asked me to forward Dan Sommer's email containing Desert Hills North Community's support of our project provided the included provisions. Please see the email chain below.

Thanks,

Matt Personne
Catclar Investments

Begin forwarded message:

> **From:** "Dan Sommer" <jdds11@cox.net>
> **Date:** January 24, 2016 at 7:41:28 AM MST
> **To:** "Irene Clary" <icatsibrisclary@catclar.com>
> **Subject: Re:**
>
> Irene,
>
> Thank you very much for the e-mail below. Desert Hills North community very much appreciates the Assumption Greek Orthodox Church talking with us about your development plans. With the statements one, two and three below we are in full support of the new building going up along Cactus Road. We look forward to working with the Church on any future development issues.
>
> I can be reached at this e-mail address or my cell (602-326-1690).
>
> Sincerely,
> Dan Sommer
> 12005 N 84th Street
> Scottsdale, AZ 85260
>
> **From:** Irene Clary
> **Sent:** Saturday, January 23, 2016 2:57 PM
> **To:** jdds11@cox.net
> **Subject:** Re:
>
> Hi Dan,
> I have not heard back from you.
> Kindly respond confirming that the below terms are acceptable in exchange for the neighborhood support?
> Sincerely,
> Irene Clary

On Jan 22, 2016, at 11:06 AM, Irene Clary <icatsibrisclary@catclar.com> wrote:

Hello Dan,
Further to our verbal agreement I have summarized the following for your review and acceptance.
On behalf of the Assumption Greek Orthodox Church, we endeavor to do the following:
1. Support the area residences against commercial developments.
2.We shall plant along the building 13' trees that will grow higher but will soften the look of the building.
3.Brad Carr has agreed to change the wording from office building to Father's Confession Room.
Please let me know if the above is acceptable and we can move forward with your support.
Thanks so much Dan!
Best Regards,

Irene Catsibris Clary
Principal
Catclar Investments LLC
Catclar Realty LLC
Symi Developments LLC
Arcadia Townhomes, LLC
Bahia Live/Work Lofts and Townhomes, LLC
16621 N 91st Street #101
Scottsdale, AZ 85260
Office: 480-473-3700 x102
Cell: 480-363-2396

catclar
INVESTMENTS

To: City of Scottsdale
Planning, Neighborhood & Transportation Division
7447 E Indian School Road Suite 105, Scottsdale, AZ 85251

From: Catclar Investments LLC.

Date: 3/1/16

Re: Assumption Greek Orthodox Church Zoning Adjustment

Citizen and Neighborhood Involvement Process

8202 E Cactus Road, Scottsdale, AZ 85260

The project team has made a concerted effort to reach out to the neighboring community and has gone above and beyond to have meaningful conversations. We have and will continue to address any questions and/or comments that may arise throughout the application process.

Posting & Notification

Pursuant to the City of Scottsdale requirements, on January 11th, 2016 the Applicant sent first class letters to all property owners within 750 feet of the project site and chairpersons of registered neighborhood associations and home owners associations, and notified interested parties of the proposed zoning adjustments and of a neighborhood meeting scheduled for Monday, January 25th, 2016. The respective dates, locations and time for the neighborhood meeting and Applicants contact information were posted on the project site on January 15th 2016 as well. Copies of the mailing notice, notification list, as well as photos of the neighborhood meeting notice sign posted on the site, are enclosed with this summary.

Phone Calls, Letters, Emails and faxes:

Prior to the neighborhood meeting, the Applicant reached out to several neighbors to share the development plan with them in advance and invite them to the meeting. After explaining the project to these property owners, they have been very supportive of the project. The Applicant was able to answer all of their questions.

Neighborhood Meeting of January 25th 2014.

The project's official neighborhood meeting was held at the project location, Assumption Greek Orthodox Church, at 8202 E Cactus Road, Scottsdale, AZ 85260. The meeting was scheduled to be from 4-6 pm. The Applicant representative Irene Clary, was in attendance, as well as members of the project team including, Ron Skoog with PHX Architecture and members of the Church building committee. In addition to the Applicant and the project team, approximately 3 people from the public attended the meeting. The Applicant set up presentation boards around the room and the project team was available to discuss the project individually with members of the public.

The members of the public in attendance were supportive. Additional public comments are overall supportive of the project.

In addition to the public meeting, the Applicant has spoken with a resident who represented the Neighborhood Association and have agreed to modify some of the language in their request as well plant some additional landscaping for the project. The HOA is satisfied with these changes and supports the project.

We are very excited about what this project brings to the general area.

We thank you for your consideration and hope to see a favorable outcome to this application.

Enclosures: January 11th, 2016 mailing notice

January 11th, 2016 mailing notification list and map

January 15th, 2016 affidavit of sign posting and photo of posted sign

Please contact us with any questions,

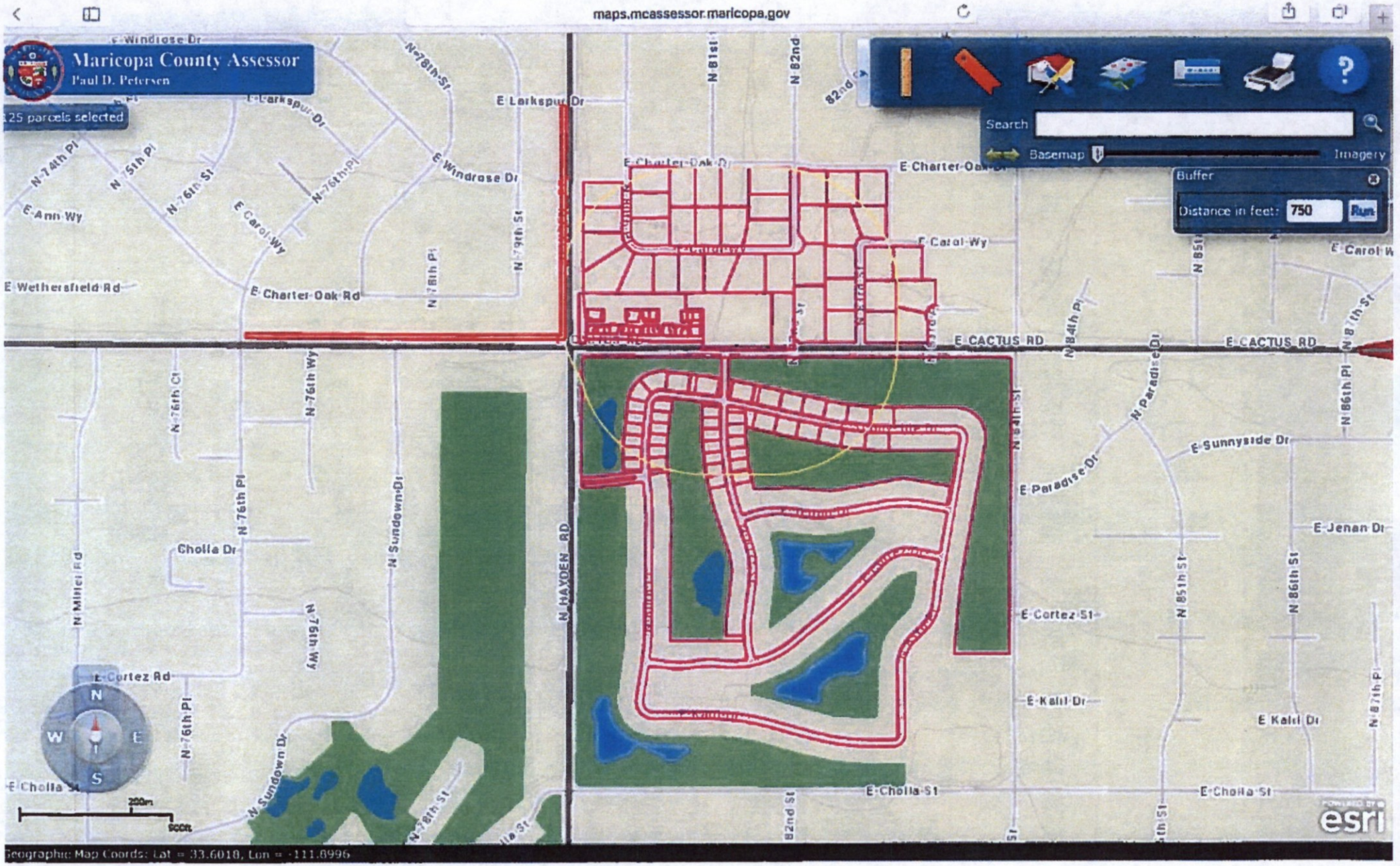
Matt Personne
Director of Development
Catclar Investments, LLC

750' notification list

1/11/16

| Owner | MAIL_ADDR1 | MAIL_ADDR2 | MAIL_CITY | MAIL_STATE | MAIL_ZIP | MAIL_CC | APN |
|---|---|---|---|---|---|---|---|
| AAAA PROPERTIES LLC | 10100 SANTA MONICA BLVD STE 300 | | LOS ANGELES | CA | 90067 | USA | 17511257 |
| AFFAS NASHWAN H/MICHAEL KHALIDA M | 8129 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511097 |
| ALAMOUT LLC | PO BOX 15306 | | SCOTTSDALE | AZ | 85267 | USA | 17511259 |
| ALYNE A POLIAKOFF REVOCABLE TRUST | 8307 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511151 |
| ARLINGTON ENTERPRISES LLC | 8140 E CACTUS RD UN 730 | | SCOTTSDALE | AZ | 85260 | USA | 17511247 |
| ARTHUR F GEORGE REVOCABLE TRUST | 11997 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514117 |
| ASSUMPTION GREEK ORTHODOX CHURCH | 8202 E CACTUS RD | | SCOTTSDALE | AZ | 85260 | USA | 17511178 |
| ASSUMPTION GREEK ORTHODOX CHURCH | 8202 E CACTUS | | SCOTTSDALE | AZ | 852600000 | USA | 17511003H |
| ASSUMPTION GREEK ORTHODOX CHURCH | 8202 E CACTUS | | SCOTTSDALE | AZ | 852600000 | USA | 17511003G |
| AUSTIN DENNIS LYNN/MARJORY TR | 12429 N 82ND ST | | SCOTTSDALE | AZ | 85260 | USA | 17511180 |
| BECKENSTEIN JAY/MARSHA | 12438 N 82ND ST | | SCOTTSDALE | AZ | 852600000 | USA | 17511100 |
| BEHELER ADRINE M TR | 8 STONECREST | | SAINT JOSEPH | MO | 64506 | USA | 17514126 |
| BREUER RICHARD R/BEER BREUER JULIE A TR | 8249 E CHARTER OAK RD | | SCOTTSDALE | AZ | 85260 | USA | 17511172 |
| BUCK RHONDA E TR | 8058 E CAROL WAY | | SCOTTSDALE | AZ | 85260 | USA | 17511104 |
| CAMPBELL JOSEPH | 12438 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17511089 |
| CASHMAN JUNE M TR | 12068 N 80TH PLACE | | SCOTTSDALE | AZ | 85260 | USA | 17514008 |
| CHAFFEE WILLIAM G/GRACE E TR | 12046 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514088 |
| CHUA TECK KUEN | 11998 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17514005 |
| CREDIT SHELTER TRUST UNDER THE SELMI | 11996 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514091 |
| CZYZ THOMAS R/AMY M | 12437 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17511109 |
| DAAN INVESTMENT SERVICES LLLP | 6223 E VIA ESTRELLA AVE | | PARADISE VALLEY | AZ | 85253 | USA | 17511237 |
| DAMOVAND LLC | PO BOX 26910 | | PHOENIX | AZ | 85068 | USA | 17511258 |
| DAWOOD FAMILY LIVING TRUST | 12414 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17511091 |
| DE OCAMPO JOSE/ANNA | 8226 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514020 |
| DERKS ROBERT A/RENNA TR | 8177 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514124 |
| DESERT STAR MANAGEMENT LLC | 8144 E CACTUS 840 | | SCOTTSDALE | AZ | 85260 | USA | 17511262 |
| DICKEY HERMAN S/PATRICIA S TR | 11976 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514092 |
| DUNLAP CATHERINE C/LARRY L TR | 771 VICTORIA HEIGHTS TER | | SALINA | KS | 67401 | USA | 17514120A |
| ELLIS MICHAEL N/TRACIE L | 8046 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514012 |
| FEHRMAN RAYMOND G & CYNTHIA J | 12426 N 82ND ST | | SCOTTSDALE | AZ | 85260 | USA | 17511099 |
| FITZPATRICK JAMES T/THOMAS | 8314 E WETHERSFIELD RD | | SCOTTSDALE | AZ | 85254 | USA | 17511146 |
| FLATT JOAN LOUISE TR | 8266 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514021 |
| FLYNN KEITH C/CHRISTINNA M | 8111 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511096 |
| FOGELSON PATRICIA ANN/DAVD M TR | 12026 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514089 |
| FRANCK AND GERALDINE BARTHELEMY LIVING TRUST | 8039 E CHARTER OAK RD | | SCOTTSDALE | AZ | 85260 | USA | 17511106 |
| FRAZZWOOD PROPERTIES LLC | 8134 E CACTUS RD STE 620 | | SCOTTSDALE | AZ | 85260 | USA | 17511243 |
| GIBSON BRADLEY K & SHARI L | 12270 N 83RD ST | | SCOTTSDALE | AZ | 85260 | USA | 17511174 |
| GODBER PATRICIA A | 8040 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511107 |
| GPR ENTERPRISES LLC | 8144 E CACTUS RD | | SCOTTSDALE | AZ | 85260 | USA | 17511260 |
| GRAND CANYON REAL ESTATE HOLDINGS LLC | 8144 E CACTUS RD STE 830 | | SCOTTSDALE | AZ | 85260 | USA | 17511261 |
| GREEN FAMILY TRUST | 8137 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514122 |
| GROTH DWIGHT J/GINGER | 8203 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511179 |
| GURNEE ROBERT L/DRUMM-GURNEE DENISE A | 8114 E CACTUS RD 200 | | SCOTTSDALE | AZ | 85260 | USA | 17511231 |
| HATSAKORZIAN SOUREN | 12210 N 83RD ST | | SCOTTSDALE | AZ | 85260 | USA | 17511177 |
| HENRY S ALBERT AND SANDRA ALBERT TRUST | 2245 W WOODBURY LN | | GLENDALE | WI | 53209 | USA | 17514119A |
| HORNE SUSAN C | 8304 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511173 |
| HOTZ ROBERT S/CAROL J TR | 8129 CHARTER OAK DRIVE | | SCOTTSDALE | AZ | 85260 | USA | 17511101 |
| JEFFRIES J ORANSKI AND MARY M ORANSKI TR/ETAL | PO BOX 31801 | | TUCSON | AZ | 85751 | USA | 17511170 |
| JOY W WILI TRUST | 8301 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511150 |
| KEYAR LLC | 15848 E ECHO HILL DR | | FOUNTAIN HILLS | AZ | 85268 | USA | 17511242 |
| KILGORE RITA G TR | 12230 N 83RD ST | | SCOTTSDALE | AZ | 85260 | USA | 17511176 |
| KINNIE LON W | 8257 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514127 |
| KLAIBER GERHART/EMILY C | 12138 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17514011 |
| KLIMES BRIAN A TR | 12231 N 83RD ST | | SCOTTSDALE | AZ | 85260 | USA | 17511149 |
| KUNASEK FAMILY TRUST | 8156 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514017 |
| L-221 HOLDINGS LTD | 4885 ELM ST | | VANCOUVER | BC | V6L 2L4 | CANADA | 17514006 |
| LACKNER DORIS K | 12169 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17514085 |
| LAMBERT JACK A/FLORENCE A TR | 12077 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514121A |
| LENSTROHM JOHN E/LISA M | 8039 E CAROL WY | | SCOTTSDALE | AZ | 85260 | USA | 17511094 |
| LIESKE HARVEY A/SUZANNE T | 11977 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514116 |
| LIMBOCKER ROBERT C/TERYL J | 8176 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514018 |
| LUPI NICOLA/GRAZIELLA TR | 28 HAMPTONS COVE NW | | CALGARY | AB | T3A 6B7 | CANADA | 17514080 |
| MABILIA JOSEPH A/BARBARA J | 12086 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514086 |
| MACHNAU KARIN D | 12049 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17514082 |
| MAHAJAN VAGISH.ARCHNA | 8116 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 | USA | 17514015 |
| MARK AND LU ROHDE FAMILY TRUST | 9448 EAST IRONWOOD BEND | | SCOTTSDALE | AZ | 85255 | USA | 17511238 |
| MARSHALL LARRY L TR/MARSHALL BARBARA C TR | PO BOX 557 | | SALINA | KS | 67402 | USA | 17514087 |
| METRO CACTUS PROPERITES LLC | 12231 N 83RD ST | | SCOTTSDALE | AZ | 85260 | USA | 17511246 |
| MINELLA LIVING TRUST | 12016 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514090 |
| MKAT LLC | 8124 E CACTUS RD STE 420 | | SCOTTSDALE | AZ | 85260 | USA | 17511239 |
| MONGAN PHILLIP B/ NANCY L TR | 12017 N 81ST ST | | SCOTTSDALE | AZ | 85260 | USA | 17514118 |
| MUELLER AND DRURY REAL ESTATE LLC | 8110 E CACTUS RD STE 105 | | SCOTTSDALE | AZ | 85260 | USA | 17511253 |
| MURPHY JOHN Z/JACKSON MICHELLE | 12088 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17514009 |
| NEILL ROBERT CAREY/MARY VERONICA TR | 12426 N 80TH PL | | SCOTTSDALE | AZ | 85260 | USA | 17511090 |
| NELSON DANIEL M JR | 7650 E CORTEZ RD | | SCOTTSDALE | AZ | 85260 | USA | 17514083 |
| NICHOLAS AND IRENE MIHAILIDIS REV TRUST | 12210 N 83RD PL | | SCOTTSDALE | AZ | 85260 | USA | 17511147 |

| | | | | | | |
|---|---|---|---|---|---|---|
| ODYSSEY 240 LLC | 8302 N 74TH PL | | SCOTTSDALE | AZ | 85258 USA | 17511264 |
| ODYSSEY PROFESSIONAL CENTER UNIT OWNERS ASSOC | 8130 E CACTUS RD NO 500 | | SCOTTSDALE | AZ | 85260 USA | 17511252 |
| PAMA LLC | 8140 E CACTUS RD NO 700 | | SCOTTSDALE | AZ | 85260 USA | 17511244 |
| PROUTY SALEM M/NASHIE A | 12250 N 83RD ST | | SCOTTSDALE | AZ | 85250 USA | 17511175 |
| PRYOR RALPH W/NANCY A | 8196 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 USA | 17514019 |
| RENNIE CHARLES/SANDRA | 12048 N 80TH PL | | SCOTTSDALE | AZ | 85260 USA | 17514007 |
| RILEY KELLI M TR | 8136 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 USA | 17514016 |
| ROBERGE FRANK L/CHARLOTTE R TR | 8057 E CHARTER OAK RD | | SCOTTSDALE | AZ | 85254 USA | 17511105 |
| ROBISON W GARY/JUDY S | PO BOX 1847 | | DURANGO | CO | 81302 USA | 17514010 |
| ROSENBLUM FRANCES C | 12449 N 80TH PL | | SCOTTSDALE | AZ | 85260 USA | 17511110 |
| RYAN ROBERT E/KATHLEEN | 7363 E ADOBE DR STE 115 | | SCOTTSDALE | AZ | 85255 USA | 17511263 |
| SARRAM SAEED | 12402 N 80TH PL | | SCOTTSDALE | AZ | 85260 USA | 17511092 |
| SCHAEFFER JEFFERY S/AMY R | 12425 N 80TH PL | | SCOTTSDALE | AZ | 852600000 USA | 17511108 |
| SCOTTSDALE CITY OF | 3939 N DRINKWATER BLVD | | SCOTTSDALE | AZ | 85251 USA | 17509262 |
| SCOTTSDALE CITY OF | 3939 CIVIC CENTER BLVD | | SCOTTSDALE | AZ | 85251 USA | 175110038 |
| SCOTTSDALE COUNTRY CLUB EAST NINE HOA | 7255 E HAMPTON AVE STE 101 | | MESA | AZ | 85209 USA | 17514275A |
| SEERY ROBERT W/JONNE L | 9550 E THUNDERBIRD RD UNIT 151 | | SCOTTSDALE | AZ | 85260 USA | 17514123 |
| SHIFRIS FAMILY LIVING TRUST | 12089 N 80TH PL | | SCOTTSDALE | AZ | 85260 USA | 17514084 |
| SMITH JEFFREY K/LYDIA | 2064 E RUBY LN | | PHOENIX | AZ | 85024 USA | 17511232 |
| SMITH THOMAS C/SUZANNE M TR | 12029 N 80TH PL | | SCOTTSDALE | AZ | 85260 USA | 17514081 |
| SMITH-STROLE RACHELLE | 3406 E KACHINA | | PHOENIX | AZ | 85044 USA | 17511102 |
| SPONGEBOB 8120 LLC | 8120 E CACTUS RD BLDG 3 | | SCOTTSDALE | AZ | 85260 USA | 17511236 |
| STARFIRE INVESTORS LP | 8135 E INDIAN BEND RD | STE 101 | SCOTTSDALE | AZ | 85250 USA | 17514263 |
| STILWELL JOHN/BRENDA | 8112 E CAROL WAY | | SCOTTSDALE | AZ | 85260 USA | 17511103 |
| SUGARMAN PAUL J/KAREN F | 8066 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 USA | 17514013 |
| TOM M SILVERMAN FAMILY TRUST | 8197 E SUNNYSIDE DR | | SCOTTSDALE | AZ | 85260 USA | 17514125 |
| USHER BRUCE H/CHRISTINE L | 12237 N 102ND ST | | SCOTTSDALE | AZ | 85260 USA | 17511241 |
| VERMA DEEPAK/REBECCA | 8021 E CAROL WY | | SCOTTSDALE | AZ | 85260 USA | 17511093 |
| VISALIA REAL ESTATE LLC | 8110 E CACTUS RD STE 110 | | SCOTTSDALE | AZ | 85260 USA | 17511254 |
| WARGO NEIL G/MARY GRACE | 8147 E CAROL WY | | SCOTTSDALE | AZ | 85260 USA | 17511098 |
| WEILER BERNARD A/ELEANOR M | 8057 E CAROL WAY | | SCOTTSDALE | AZ | 85260 USA | 17511095 |
| WEISFLOG PROPERTIES LLC | 8114 E CACTUS RD STE 220 | | SCOTTSDALE | AZ | 85260 USA | 17511233 |
| WONG DAVID H/ROCHELLE H TR | 705 S DOBSON RD | | CHANDLER | AZ | 85224 USA | 17511245 |
| WYATT JAMES D/DONNA K | 9096 E SUNNYSIDE DR | | SCOTTSDLAE | AZ | 85260 USA | 17514014 |
| YODER ROBERT R/SPILMAN STACY M | 12211 N 83RD ST | | SCOTTSDALE | AZ | 852600000 USA | 17511148 |
| ZIMTBAUM LORENCE M | 9375 E SHEA BLVD SUITE 100 | | SCOTTSDALE | AZ | 85260 USA | 17511171 |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Maricopa County Assessor
Paul D. Petersen
125 parcels selected
Search
Basemap
Imagery
Buffer
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E Larkspur Dr
E Charter Oak Dr
E Carol Wy
E Wethersfield Rd
E Charter Oak Rd
E CACTUS RD
E Sunnyside Dr
E Paradise Dr
E Jenan Dr
E Cortez St
E Kalil Dr
E Cholla St
E Cortez Rd
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N Sundown Dr
N Paradise Dr
N 85th St
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N 87th Pl
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N 76th Pl
N 76th Wy
N 78th Pl
N 79th St
N 81st
N 82nd
N 74th Pl
N 75th Pl
N 76th St
N 76th Ct
N Miller Rd
E Ann Wy
E Carol Wy
82nd St
200m
500ft
Geographic Map Coords: Lat = 33.6018, Lon = -111.8996
esri

METROPOLIS OF SAN FRANCISCO

# ASSUMPTION GREEK ORTHODOX CHURCH

8202 E. Cactus Road, Scottsdale, AZ 85260 Tel.: (480) 991-3009 • Fax: (480) 991-3717
Web: www.assumptionaz.org • E-mail: office@assumptionaz.org • priest@assumptionaz.org

1/11/16

RE: Neighborhood meeting by the Assumption Greek Orthodox Church for modifying the existing zoning stipulations related to Zoning case 26-Z-88.

Dear Neighbor,

We are writing to notify you of an upcoming neighborhood meeting on January 25th, 2016, from 4-6 pm in the church community center concerning the Assumption Greek Orthodox Church property at 8202 E Cactus Road.

We are seeking a modification to the original zoning stipulations from 1988 (26-Z-88). These stipulations were put in place when the property was originally zoned by the City of Scottsdale. The property has since been rezoned by the General Plan and many of the original 19 stipulations have been satisfied or are no longer applicable. The changes being requested are consistent with the current development requirements for places of worship in the Scottsdale Zoning Ordinance.

Please join us January 25th from 4-6pm in the church community center to see the improvement plans, ask any questions you have and see the full list of stipulations to be modified.

If you have any questions, please do hesitate to contact either of the project representatives below:

Assumption Greek Orthodox Church:

Irene Clary
CatClar Investments, LLC
Chair, AGOC Building Committee
8202 E Cactus Road
Scottsdale, AZ 85260
480-473-3700
icatsibrisclary@catclar.com

City of Scottsdale:

Brad Carr
Senior Planner
7447 E Indian School Road, #105
Scottsdale, AZ 85251
480-312-7713
bcarr@scottsdaleaz.gov

We look forward to meeting you!

# Affidavit of Posting

**Required: Signed, Notarized originals.**
Recommended: E-mail copy to your project coordinator.

☒ **Project Under Consideration Sign (White)** ☐ **Public Hearing Notice Sign (Red)**

**Case Number:** 26-Z-88

**Project Name:** Assumption Church

**Location:** 8202 East Cactus Road

**Site Posting Date:** 1-15-2015

**Applicant Name:** Irene Clary

Sign Company Name: Scottsdale Sign A Rama

Phone Number: 480-994-4000

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Applicant Signature _____ Date 1/16/16

**Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.**

Acknowledged before me this the 15th day of January 2016

Aaliaha Ali Mohammad
Notary Public
Maricopa County, Arizona
My Comm. Expires 02-04-19

_____
Notary Public

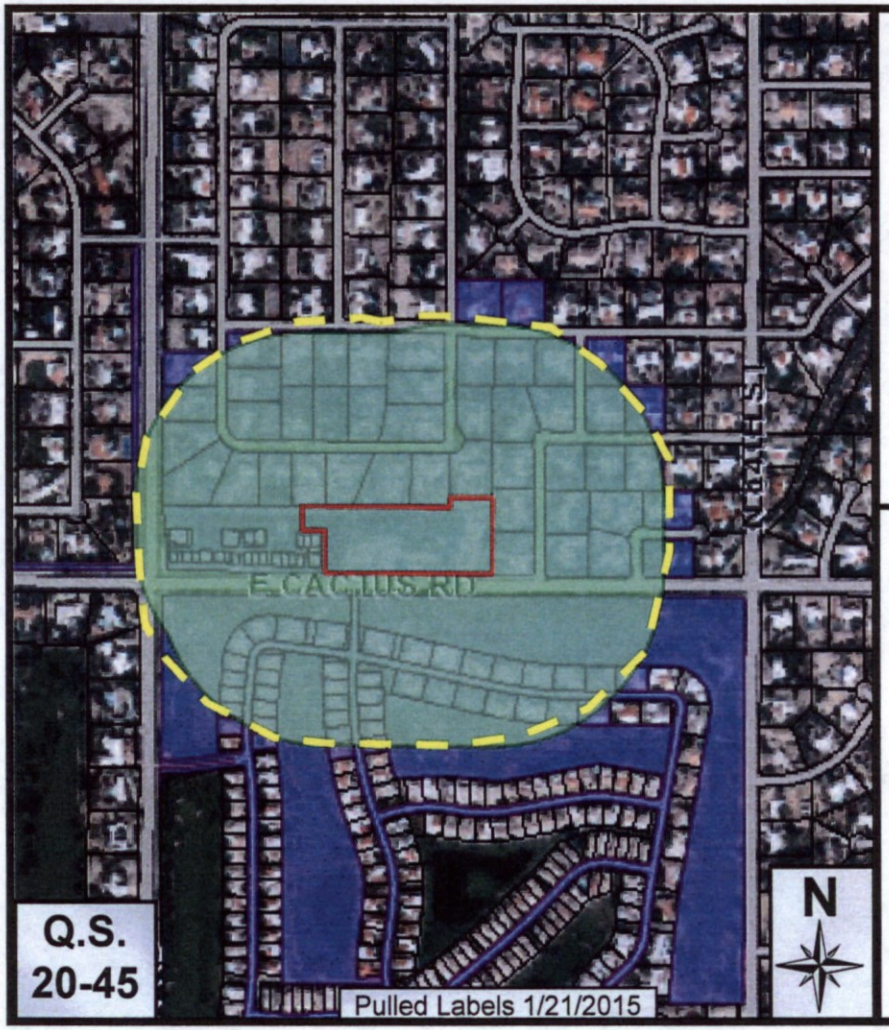
My commission expires: 02-04-19

**City of Scottsdale -- Current Planning Division**
7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088


Early Notification of Project Under Consideration
Neighborhood Open House Meeting
Date: January 25th, 2016
Time: 4:00 – 6:00 PM
Location: Community Center Building – Assumption Greek Orthodox Church, 8202 E. Cactus Rd.
Site Address: 8202 E. Cactus Rd.
Project Overview:
Description of Request: Applicant is requesting a modification to the original zoning stipulations from 1988, Case #26-Z-88. The changes being requested are consistent with the current development requirements.
Site Acreage: 5.15 +/- (224,182 SF)
Site Zoning: R1-35
Applicants Contact: Irene Clary
Phone number: 480-473-3700
Email: icatsibrisclary@catclar.com
City Contacts: Brad Carr
Phone number: 480-312-7713
Email: bcarr@scottsdaleaz.gov
15/01/2016
Pre-Application #: 26-Z-88
Available at The City of Scottsdale: 480-312-7000
Project Information may be researched at: www.scottsdaleaz.gov/projects/ProjectsInProcess/
Posting Date: 01/15/2016
-Penalty for removing or defacing sign prior to date of last hearing
-Applicant Responsible for Sign Removal

# City Notifications – Mailing List Selection Map

ATTACHMENT #8




**Map Legend:**

Site Boundary

Properties within 750-feet

160 # of Postcards

**Additional Notifications:**

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Twitter
- City Website-Projects in the hearing process

**Assumption Greek Orthodox Church**

**2-ZN-2016**

STIPULATION FOR CASE 26-ZN-88#2

1. Development shall be in general conformance with the submitted site plan.

2. P-2 zoning shall be applied to the northern 100 feet of the western 740 feet of the site and the northern 120 feet of the next 545 feet going east on the site.

3. The maximum height of any outdoor lighting on the buildings or in the parking area shall be 10 feet.

4. The landscape plan for the buffer on the north side of the parking area shall be delivered to the adjacent homeowners at least 15 days prior to submittal of the Development Review Board application including the parking area.

5. Whichever use is developed first shall provide for it's normally required parking count with the initial development of the site. Any expansion or development of the other use shall require completion of any additional parking required by the highest demand of the two uses.

6. An 8 foot wide bike path shall be provided along the north side of Cactus Road.

7. A 15 foot trail easement shall be provided along the north side of Cactus Road.

8. A 15 foot wide trail easement shall be provided which connects the trail easement in the subdivision to the north with the Cactus trail. The design and landscaping of the parking area shall provide a clear and delineated corridor for the trail crossing.

9. The maximum height of the church multi-purpose building shall be 25 feet and the sanctuary shall be 38 feet.

10. Right-of-way dedications and improvements shall be made prior to the issuance of permits as follows:

| | |
|---|---|
| Hayden Road | 55' half-street right-of-way |
| Cactus Road | 45' half-street right-of-way<br>30.5 half-street improvements |

11. The driveway on Hayden Road shall be designed for right turn ingress and egress movements only.

ATTACHMENT #9

12. The applicant shall be responsible for 100% of all costs associated with the design and construction of any new signal equipment and/or modifications to existing equipment at the intersection of Hayden and Cactus Roads which are necessary to accommodate any new roadway improvements.

13. The design treatment for all drainage channels on and adjacent to the site shall be approved by the Development Review Board.

14. The minimum parking provided when any joint use is established shall be 10 percent above the highest parking requirement of either of the uses.

15. The minimum building setback along Cactus Road shall be 30 feet.

16. The converted residence at the northeast corner of the site shall be limited to residential, church office, classroom, or church nursery uses. ~~Any exterior expansion of the existing building shall require revision of the use permit through the public hearing process. The building may be used as a temporary church for up to 24 months after approval by the City Council and subject to adequate paved parking and landscaping being provided to the west.~~

17. The applicant shall provide as part of the Development Review Board a north-south cross section of the site and adjoining residences. The Board shall pay particular attention to the cross section in order to assure an appropriate visual and height relationship between the site and the adjacent residences.

~~18. Development on site on the R-R portion of the site shall occur within 24 months of the date of City Council approval.~~

18. The site shall be cleaned-up and kept in a trash-free condition until construction has begun on the site.