

ORDINANCE NO. (O)15-10

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA,
AMENDING THE REZONING CONDITIONS OF APPROVAL OF
ORDINANCE NO. (O)11-12 FOR ST. MARK'S CATHOLIC
CHURCH LOCATED AT 2727 W. TANGERINE ROAD**

WHEREAS, On May 4, 2011, the Town of Oro Valley approved Ordinance No. (O) 11-12, approving a rezoning request by ML2 Management, L.L.C., representing St. Mark's Church for the property located at 2727 W. Tangerine Road from R1-144 to Private School District; and

WHEREAS, the conditions of approval no longer apply as St. Marks has purchased the property originally affected by the rezoning request; and

WHEREAS, St. Mark's Church is asking to amend the conditions of approvals from (O) 11-12 to eliminate/modify the requirement screen wall on the south and to increase the height of the light poles south of the main sanctuary building ; and

WHEREAS, the Applicant's request for to amend the rezoning conditions of approvals complies with the applicable General Plan requirements; and

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona that:

SECTION 1. The amendment to the rezoning conditions of approvals for St. Mark's Church for the property located at 2727 W. Tangerine Road, attached hereto as Exhibit "A" and incorporated herein by reference, is hereby approved.

SECTION 2. All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona on this 1st day of July, 2015.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, Town Clerk

Tobin Sidles, Legal Services Director

Date: _____

Date: _____

EXHIBIT A

**Amend the conditions of approval on Ordinance (O) 11-12 as provided below.
Deletions shown in ~~strikethrough~~ font, additions shown in ALL CAPS font.**

Planning

1. Provide the following as general notes on the cover sheet of the Tentative Development Plan (TDP):

~~Along the south buffer yard, screen walls shall be constructed of stucco with pier offsets and shall be no closer to the south property line than shown on the TDP. All walls shall be contoured (not straight line).~~

2. Revise general note #13 on the TDP as follows:

Existing site: Remove existing pole lights and replace with 15' tall shielded lights or at a lesser height consistent with zoning code requirements. All other building lights shall not exceed 9' and shall be shielded. ~~Additional lights may be installed as required by Town lighting code, provided pole heights do not exceed 10' if located south of the buildings or 8' if located along the southern drive lane.~~

Planning and Zoning Commission Conditions

1. Revise the Phase 1 plan to match the tentative development plan. ~~specifically the south buffer yard walls.~~
9. ~~On the south buffer yard, replace the straight line walls with contoured walls similar to the section west of the wash, with the exception of the wall on the southwest corner of the property (south of the detention basin).~~
10. Existing site: Remove existing pole lights and replace with 15' tall shielded lights. All other building lights shall not exceed 9' and shall be shielded. ~~Additional lights may be installed as required by Town lighting code, provided pole heights do not exceed 10' if located south of the buildings or 8' if located along the southern drive lane.~~
11. New Development: Parking lot lights ~~along SOUTH OF~~ the south drive lane shall be no taller than 8' 10' and shall be fully shielded. All other building lights shall not exceed 9' and shall be shielded. Additional lights ~~NORTH OF THE SOUTHERN DRIVE~~ may be installed as required by Town lighting code, provided pole heights do not exceed 40' 18 FEET. ~~if located south of the buildings or 8' if located along the southern drive lane.~~
12. ~~Screen walls shall be 5' high constructed of stucco with pier offsets and shall be located no closer to the south property than shown on the TDP.~~