

ORDINANCE NO. (O)11-12

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA,
APPROVING A REZONING REQUEST BY ML2 MANAGEMENT,
L.L.C. REPRESENTING ST. MARKS CHURCH, FOR THE
PROPERTY LOCATED AT 2727 W. TANGERINE ROAD FROM
R1-144 TO PRIVATE SCHOOL DISTRICT**

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, the Applicant, ML2 Management, L.L.C., representing St. Marks Church, applied for a rezoning from R1-144 (Single Family Residential District) to PS (Private School District) for the property located at 2727 W. Tangerine Road, as depicted on Exhibit "B"; and

WHEREAS, the gross area of the requested rezoning is approximately 17 acres which currently has a church office and a recreation building/sanctuary; and

WHEREAS, the Applicant wishes to change the zoning of the 17 acres from R-144 to PS to take advantage of the more flexible development standards in PS; and

WHEREAS, the Applicant's request for rezoning complies with the applicable General Plan requirements; and

WHEREAS, on March 1, 2011 at a duly noticed public hearing, the Planning & Zoning Commission recommended approval for rezoning the property from R1-144 to PS with conditions, attached hereto as Exhibit "A"; and

WHEREAS, the Oro Valley Town Council has duly considered the proposed rezoning and the Planning and Zoning Commission's recommendations at a duly noticed Public Hearing; and finds that it is consistent with the Town's General Plan and the Oro Valley Zoning Code Revised.

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

SECTION 1. The rezoning request by the Applicant, representing St. Marks Church, to rezone the property located 2727 W. Tangerine Road from R1-144 to PS as shown in Exhibit "B", is hereby adopted with conditions, attached hereto as Exhibit "A".

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parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.

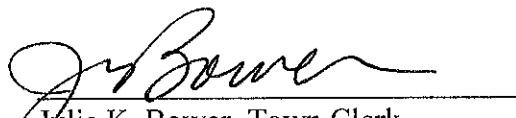
SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona on this 4th day of May, 2011.

TOWN OF ORO VALLEY


Dr. Satish I. Hiremath, Mayor

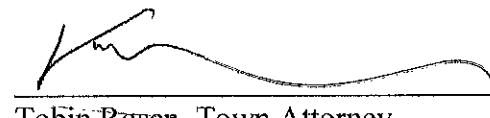
ATTEST:


Julie K. Bower, Town Clerk

Date: 5/6/11

PUBLISH: DAILY TERRITORIAL
MAY 16, 17, 18, 19, 2011

APPROVED AS TO FORM:


Tobin Rosen, Town Attorney

Date: 5/4/11

POSTED: 5/10/11 - 6/10/11