



MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

MONDAY, OCTOBER 7, 2002 – 2:00 P.M.
(MAYOR AND COUNCIL CHAMBERS, CITY HALL,
255 WEST ALAMEDA, TUCSON, ARIZONA)

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION –Pastor Vic Cruz, Tucson Independent Baptist Church

PLEDGE OF ALLEGIANCE – Led by Fifth Graders from Wheeler Elementary School

PRESENTATIONS

- (a) Presentation of the 2002 Energy Star Award from the Environmental Protection Agency, for excellence in energy at the Thomas O. Price Center Building #1
- (b) Proclamation – Proclaiming Tucson as a city that is Concerned for the Education of All Children

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager OCT7-02-592 CITY-WIDE

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager OCT7-02-593 CITY-WIDE

5. CALL TO THE AUDIENCE:

At this time, any member of the public is allowed to address the Mayor and City Council on any issue *not listed on today's agenda*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

6. CONSENT AGENDA – ITEMS A THROUGH V

FOR COMPLETE DESCRIPTION OF ITEMS
SEE ATTACHED CONSENT AGENDA

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent agenda and will be considered separately.

7. LIQUOR LICENSE APPLICATIONS

(a) Report from City Manager OCT07-02-576 CITY-WIDE

(b) LIQUOR LICENSE APPLICATION(S)

THERE ARE NO REGULAR LICENSES FOR THE MEETING OF OCTOBER 7, 2002

(c) Special Event(s)

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| (1) | KIWANIS CLUB de AMIGOS
4823 S. 6 th Avenue
Applicant: Dean A. Sipe
City #T073-02, located in Ward 5
Date of Event: October 19, 2002
October 20, 2002 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Parks: In Compliance |
| (2) | TUCSON BLUES SOCIETY INC.
900 S. Randolph Way
Reid Park-Demeester Center
Applicant: Robert C. Del Grego
City #T075-02, located in Ward 6
Date of Event: October 20, 2002 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Parks: In Compliance |
| (3) | MARCH OF DIMES:
PATRICK SNIEZEK-CHAIRPERSON
NADINE HANSON-SO. AZ DIRECTOR
7300 E. Vactor Ranch Trail
Applicant: Nadine C. Hanson
City #T076-02, located in Ward 2
Date of Event: October 17, 2002 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |

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| (4) | SAINTS PETER AND PAUL
CATHOLIC SCHOOL
1436 N. Campbell Avenue
Applicant: Paul V. Leonardi
City #T077-02, located in Ward 6
Date of Event: October 19, 2002 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (5) | ALTRUSA INTERNATIONAL,
INC. OF TUCSON
2150 N. Alvernon
Applicant: Susan (Sue) A. West
City #T080-02, located in Ward 6
Date of Event: October 11, 2002 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (6) | BIG BROTHERS BIG SISTERS
ATTORNEY MENTORING PROJECT (AMP)
140 N. Main
Applicant: Veronique M. Pardee
City #T082-02, located in Ward 1
Date of Event: October 15, 2002 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (7) | SAGUARO ROTARY
135 S. 5 th Avenue
Applicant: David I. Becker
City #T085-02, located in Ward 6
Date of Event: October 18, 2002 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (8) | TUCSON PRIDE, INC.
900 S. Randolph Way
Reid Park-Demeester Center
Applicant: Wendy Jean Bailey
City #T086-02, located in Ward 6
Date of Event: October 12, 2002 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Parks: In Compliance |
| (9) | TMC FOUNDATION
3645 W. Starr Pass Blvd.
Applicant: Julia Strange
City #T093-02, located in Ward 1
Date of Event: October 11, 2002 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |

(d) Extension of Premises

(1) CONGRESS TAP ROOM, INC.
311 E. Congress Street
Applicant: Richard S. Oseran
City #EP47-02, located in Ward 6
Date of Event: October 18, 2002
Type: Temporary

Staff Recommendation

Police: In Compliance
DSD: In Compliance

8. TUCSON CODE: AMENDING (CHAPTER 7) PROHIBITING ANIMALS WITHIN THE BOUNDARIES OF A STREET FAIR; AND DESIGNATING BOUNDARIES AND DATES FOR THE FOURTH AVENUE STREET FAIR (CONTINUED FROM THE MEETING OF SEPTEMBER 23, 2002.)

- (a) Report from City Manager OCT07-02-600 WVI
- (b) Ordinance No. 9768 relating to street fairs; amending regulation of street fairs by providing definitions; prohibiting animals within the boundaries of a street fair; providing exemptions for services animals, working animals and event animals; providing penalties; by amending Chapter 7, Article XIII, Section 7-300 and renumbering it as Section 7-301; and by creating new Sections 7-300, 7-302, and 7-303; and declaring an emergency.
- (c) Resolution No. 19365 relating to street fairs; designating boundaries and dates for Fourth Avenue Street Fair; designating certain streets, alleys, sidewalks or portions thereof as subject to the street fair provisions of Chapter 7, Article XIII of the Tucson Code; and declaring an emergency.

The City Manager recommends that Mayor and Council provide direction on the attached ordinance and resolution.

9. ZONING: (C9-02-15) CITY OF TUCSON–COURT AVENUE, HC-3 TO HR-3; CITY MANAGER’S REPORT

- (a) Report from City Manager OCT7-02-590 WI
- (b) Zoning Examiner’s Report dated September 20, 2002
- (c) Request to rezone approximately 0.84 acres from HC-3 (Historic mid-rise regional commercial) to HR-3 (Historic high density residential) zoning. Applicant: Joe Comella on behalf of the property owner, City of Tucson/Community Services Department.

The rezoning site is located between Meyer and Court Avenues, south of Sixth Street. The preliminary development plan proposes six new lots for development of a single-family residence on each lot.

The Zoning Examiner recommends approval of HR-3 zoning subject to the following conditions:

1. A subdivision plat in substantial compliance with the tentative plat dated April 25, 2002, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 4.1.1. of the *Land Use Code*.
2. Compliance with the conditions of approval provided by HPZ-02-16 and HPZ-02-20.
3. Provide streetscape landscaping similar to the existing landscaping in El Presidio neighborhood along Meyer Avenue and Court Avenue.
4. Lots 1, 2, and 3 to be single-story structures.
5. Any required or proposed masonry screen walls shall be constructed of, or painted with, graffiti-resistant materials. These screen walls shall incorporate one of the following decorative materials: (a) tile, (b) stone, (c) brick, (d) textured brick/block, (e) a coarse-textured material such as stucco or plaster, or (f) a combination of the above materials.
6. Any continuous wall greater than 75 feet in length and 3 feet in height visible from the public right-of-way shall vary the wall alignment (jog, curve, notch, or setback, etc.) and include trees or shrubs in the voids created by the variations.
7. "Safe by Design" concepts shall be incorporated in the subdivision plat for review by the Tucson Police Department.
8. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
9. Five years are allowed from the date of initial authorization to comply with all Code requirements and conditions of rezoning.

Four written approvals and zero written protest have been received.

A simple majority vote will be necessary to adopt an ordinance rezoning the subject property once the conditions of rezoning are met.

10. PUBLIC HEARING: DOWNTOWN, GREASEWOOD ROAD, VALLEY ROAD MAJOR STREETS AND ROUTES PLAN AMENDMENT (CONTINUED FROM THE MEETING OF SEPTEMBER 23, 2002.)

- (a) Report from City Manager OCT7-02-601 WI & WVI

11. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager OCT7-02-598 CITY-WIDE

12. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on *any issue*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

13. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, October 14, 2002, at 7:30 p.m., in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.