



MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

MONDAY, JANUARY 13, 2003 – 7:30 P.M.
(MAYOR AND COUNCIL CHAMBERS, CITY HALL,
255 WEST ALAMEDA, TUCSON, ARIZONA)

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Roger Stogsdill, First Brethren Church

PLEDGE OF ALLEGIANCE – Mayor and Council and public in attendance

PRESENTATION

(a) Proclamation – Proclaiming January 13, 2003 to be Martin Luther King Jr. Day.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

(a) Report from City Manager JAN13-03-32 CITY-WIDE

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

(a) Report from City Manager JAN13-03-33 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 tonight'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 E

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 JAN13-03-26 CITY-WIDE
- (b) LIQUOR LICENSE APPLICATION(S)

New License(s)

- | | | |
|-----|--|---|
| (1) | CHEVRON FOOD MART
3215 N. Swan Road
Applicant: John W. Webster
City #106-02, located in Ward 2
Series #10
Action must be taken by: January 31, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
| (2) | ARIZONA ALE HOUSE
95 W. River Road
Applicant: Ricky D. Cook
City #108-02, located in Ward 3
Series #12
Action must be taken by: February 1, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
| (3) | FIREFLY FOOD & SPIRITS
509 N. 4 th Avenue
Applicant: Sharon A. Ludwig
City #104-02, located in Ward 6
Series #12
Action must be taken by: January 25, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |

Public Opinion: Protests Filed

(CONTINUED FROM THE MAYOR AND COUNCIL MEETING OF JANUARY 6, 2003)

NOTE: State law provides that a new license, “In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of community will be substantially served by the issuance of a license”. (A.R.S. Section 4-201)

Person Transfer(s)

(4)	GALO’S 7854 E. Wrightstown Road Applicant: Robbi T. Hurtado City #107-02, located in Ward 2 Series #7 Action must be taken by: January 31, 2003	<u>Staff Recommendation</u> Police: In Compliance DSD: In Compliance Bus. License: In Compliance
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NOTE: For a person to person transfer, the State Liquor Board will not hold a hearing to consider a protest of location or permit testimony against the location at a hearing scheduled to evaluate the personal qualification of the applicant.

Location Transfer(s)

(5)	CHINATOWN BUFFET 5005 S. Campbell Avenue Applicant: Junting Lei City #105-02, located in Ward 5 Series #7 Action must be taken by: January 31, 2003	<u>Staff Recommendation</u> Police: In Compliance DSD: In Compliance Bus. License: In Compliance
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NOTE: State law provides that a new license, “In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of community will be substantially served by the issuance of a license”. (A.R.S. Section 4-201)

(c) Special Event(s)

(1)	BIG BROTHERS BIG SISTERS OF TUCSON 134 S. Fifth Avenue Applicant: Kelly D. Balthazor City #T107-02, located in Ward 6 Date of Event: February 28, 2003	<u>Staff Recommendation</u> Police: In Compliance DSD: In Compliance
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(d) Extension of Premises

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| (1) | MUSIC BOX LOUNGE
6951 E. 22 nd Street
Applicant: Darel D. Harrison
City #EP57-02, located in Ward 4
Type: Permanent | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
| (2) | ROLLING HILLS GOLF COURSE
8900 E. 29 th Street
Applicant: Wayne A. Braastad
City #EP60-02, located in Ward 4
Type: Permanent | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |

8. ZONING: (C9-02-23) LEVIS/SUTTON – CAMP LOWELL DRIVE, SR/RX-1 TO C-1; CITY MANAGER’S REPORT

- (a) Report from City Manager JAN13-03-30 WII
- (b) Report from Zoning Examiner dated December 27, 2002
- (c) Request to rezone approximately 2.75 acres from SR and RX-1 (Very Low-density Residential/Suburban Low Density Residential) to C-1 (Low-intensity Commercial) zoning. Applicant: Ann Warner of Planning Resources on behalf of the property owners, Lucy Levis and Delbert Sutton.

The rezoning site is located on the southwest corner of Camp Lowell Drive and Swan Roads. The preliminary development plan proposes 19,600 square feet of retail space in five 24 to 27 foot tall buildings on 2.75 acres.

The Zoning Examiner recommends approval of C-1 zoning. The City Manager recommends approval of C-1 zoning subject to the following conditions:

- 1. A development plan in substantial compliance with the preliminary development plan dated December 12, 2002 #2, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8. of the *Land Use Code*.
- 2. Dedication or verification of existence of right-of-way per the *Major Streets and Routes Plan*, including intersection widening, along the Camp Lowell Drive and Swan Road frontages of the site and dedication of a 30 foot radius spandrel at the northeast corner of the site.

3. Driveway locations shall be aligned with the development to the north; all unused curb-cuts shall be closed.
4. A Traffic Study Analysis shall be provided. If an analysis is not provided, the easternmost entrance into the property shall be right turn in/right turn out only.
5. Six (6) foot wide sidewalks shall be provided along the Swan Road and Camp Lowell Drive street frontages.
6. A bus pullout bay shall be provided along the Swan Road frontage.
7. The existing vehicular access point in the southeast corner of the site connecting to the access easement located on the southern boundary of the adjacent commercial property to the east shall be redesigned to accommodate two-way traffic, or shall be gated and identified on the development plan for emergency vehicle use only.
8. The PAAL in the southwest corner of the site shall be redesigned for two-way traffic.
9. The owner/developer shall agree to pedestrian cross access easement with the existing commercial property to the southeast. This site shall be designed to accommodate a pedestrian connection to the existing commercial property to the southeast.
10. Pedestrian crossings at PAAL's shall not be identified by paint striping. A pedestrian table or a different paving material shall be used at pedestrian crossings.
11. Buildings adjacent to Camp Lowell Drive shall be a maximum of twenty-four (24) feet in height. All other buildings shall be a maximum of twenty-seven (27) feet in height.
12. Buildings shall have a variety of rooflines.
13. Architectural design, material, signage, and colors for all buildings and walls shall be compatible with the Fort Lowell Neighborhood, the office development north and south of Camp Lowell Drive on the east side of Swan Road, and the commercial development on the northwest corner of Swan Road and Camp Lowell Drive. Architectural design shall follow the Old Ft. Lowell Historic District guidelines. All elevations of each building shall have equal level of architectural detailing. A unified color scheme using colors found in the Sonoran Desert shall be used for all buildings and walls. Mission tile shall not be used as an accent material

on roofs. Food service areas shall include an outdoor, shaded dining area, and shall be located along the landscaped area on the north side of the buildings facing Camp Lowell.

14. A landscaped area shall be provided along the north side of the buildings facing Camp Lowell that ties the trail, the sidewalk, and the bus stop together. The plant palette for this area as shown on the preliminary development plan dated December 12, 2002, will be the same throughout and be selected from the Old Fort Lowell Neighborhood plant list. A landscaped and seeded, 24 to 36 inch in height, organically shaped earthen berm, shall be constructed along Camp Lowell and Swan Road wherever there is not a sign wall for landscaping and screening.
15. A natural barrier rather than a wall shall be constructed along the west property line along the trail easement. Parking shall be screened from the trail area by a 24-36" in height organically shaped berm where there is room. Native planting and seeding shall be installed to control erosion.
16. Parking lots shall minimize curbing and tree-planting areas shall be flush with the parking lot to allow water harvesting. Parking lot grading shall direct runoff to planting areas.
17. Every effort shall be made to direct runoff from rooftops and paved areas to planting areas wherever possible.
18. Parking shall incorporate existing trees whenever possible, and a functional shade canopy tree shall be planted in the parking lot area for every nine parking spaces.
19. Balconies are prohibited on south facing elevations adjacent to residential development. Second story windows on south facing elevations adjacent to residential development shall be clerestory, with a minimum sill height of 60 inches.
20. Freestanding and wall mounted outdoor lighting to be shielded and directed down and away from adjacent residential uses. Parking lot lighting shall not exceed ten feet in height within twenty feet of the south property line. All other parking lot lighting shall not exceed fourteen feet in height.
21. An inventory of all on-site vegetation shall be provided as part of the landscape plan submitted for development plan review. The inventory shall be available for review at the neighborhood meeting referenced in condition 33. The inventory shall identify the location of on-site trees with a caliper of four (4) inches or more and other significant vegetation. Vegetation that will be preserved, relocated on-site, or replaced with

native or adaptive, drought tolerant plant material of comparable size. Every effort shall be made to preserve mature, viable, woody, native vegetation along Camp Lowell and Swan Road wherever possible. When it is not possible, each tree destroyed shall be replaced with the same species, 42" boxed specimen.

22. The Creekside Wash (Venice Wash) shall be preserved including the vegetation along the wash.
23. An eight (8) foot wide, publicly accessible trail easement shall be dedicated to the City of Tucson along the east bank of the Creekside Wash. The trail shall meander, shall be constructed of stabilized decomposed granite over 95% compacted native grade, and shall include at least one seating area along the trail. The trail shall be located to connect with the pedestrian crossing across the PAAL.
24. Grading shall not begin more than four (4) months prior to actual construction of improvements on the site.
25. Prior to issuance of a grading permit, temporary fencing shall be provided around all natural areas along the west and southern perimeters of the site.
26. Signs shall be incorporated into a wall, not to exceed four feet in height, at the corner of Camp Lowell and Swan Road. Materials for the wall construction shall compliment the building construction and the architecture of the Fort Lowell Neighborhood area. The wall and signage shall be understated and low profile. Sign wall lighting shall not be backlit or neon.
27. 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.
28. Open storage areas including loading zones, and/or dumpsters shall be screened using masonry walls, landscaped, and located a minimum of fifty (50) feet from adjacent residential uses south of the property.
29. 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.

30. A qualified archaeologist shall perform an archaeological assessment and survey before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
31. “Safe by Design” concepts shall be incorporated in the subdivision plat for review by the Tucson Police Department.
32. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
33. The developer shall notify and conduct a meeting with property owners within 300 feet of the rezoning site, representatives of the Fort Lowell, and Barrio del Este Neighborhood Associations, and Trees for Tucson, to review the proposed development plan. Review to include all building elevations, architectural details, a color theme, and the inventory of all on-site vegetation required in condition 21. Meeting to be scheduled no sooner than 30 days prior to the submittal of a development plan to the City of Tucson. Submittal of development plan to the City of Tucson shall include documentation of this meeting, including names of attendees, and minutes of the meeting. The above documentation shall be included in the materials transmitted to Mayor and Council at the time of ordinance adoption.
34. Five years are allowed from the date of initial authorization to comply with all Code requirements and conditions of rezoning.

Three written approvals and zero written protests 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.

9. ZONING: (C9-02-17) BROWN – CAMINO SECO, SR TO R-2; CITY MANAGER’S REPORT

- (a) Report from City Manager JAN13-03-31 WIV
- (b) Report from Zoning Examiner dated December 20, 2002
- (c) Request to rezone approximately 17.7 acres from SR (Very Low-Density Residential) to R-2 (Medium Density Residential) zoning. Applicant: Ann Warner of Planning Resources on behalf of the property owners, Garold Brown Ltd. Family Partnership.

The rezoning site is located south of Golf Links Road between Camino Seco and the Pantano Wash. The preliminary development plan is for 71 one-and two-story, single-family, detached, residential units utilizing the Residential Cluster Project (RCP) development option for a density of approximately four residences per acre.

The Zoning Examiner recommends approval of R-1 zoning. The City Manager recommends approval of R-1 zoning in lieu of R-2 zoning subject to the following conditions:

- 1. A subdivision plat in substantial compliance with the preliminary development plan dated November 22, 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. Dedication, or verification of existence of right-of-way, per the *Major Streets and Routes Plan* map along Camino Seco and Golf Links Road. Dedication of a 30 foot radius spandrel at the southeast corner of Camino Seco and Golf Links Road. Dedication of 25 foot radius spandrels at the corners of the access points on Camino Seco.
- 3.
 - a. In lieu of designing and constructing the east half of a 4-lane divided roadway along the Camino Seco frontage of the site, or participating in a future improvement district for same, the owner/developer shall provide a contribution of \$141,900.00 to the City of Tucson Department of Transportation, prior to the issuance of the first house construction permit, for use towards infrastructure improvements in the vicinity of the site
 - b. Owner/developer shall install interim left turn and right turn/deceleration lanes on Camino Seco at both access points to the site

4. Construction of soil-cement bank protection providing 100-year capacity protection from inundation, erosion, and lateral movement along the entire Pantano Wash frontage of the site, including soil cement termination structure/key-in south of the site.
5. Preparation of a complete drainage report.
6. The owner/developer shall obtain a Letter of Map Revision (LOMR) revising the existing flood hazard area prior to final plat approval.
7. The owner/developer shall prepare a Letter of Map Revision (LOMR) reflecting the revisions due to construction of the bank protection along the Pantano Wash within six (6) months of completion of the bank protection improvements.
8. Dedication to the City of Tucson a minimum fifty (50) foot wide drainage easement/linear park corridor along the western edge of the Pantano Wash, measured from the top of the future bank protection. So long as a viable Riverpark easement is maintained, a reduction in the width of the River Park easement may be made at the discretion of the Parks and Recreation Department if required to accommodate engineering considerations related to the installation of the bank protection.
9. Within the corridor, the owner/developer shall construct the segment of the Pantano River Park adjacent to the eastern property line to the edge of the City of Tucson Property as shown on the preliminary development plan dated November 22, 2002. The River Park segment shall be constructed to the City/County River Park standard, including a twelve (12) foot wide paved path and an eight (8) foot wide meandering natural surface path. Path specifications for the paved path are two (2) inch thickness asphalt over 95% compacted native subgrade. Path specifications for the natural surface path are two (2) inch thickness decomposed granite compacted to 95% over native subgrade compacted to 95%.
10. Paths shall be protected from wash flows, erosion, slope wash downs, drainage from adjacent street and property. Drainage shall be diverted away from paths to designed culverts or pipe drainage under paths. Flows from street or other collection areas shall be designed away from and underneath paths.
11. Landscape buffers of native plant materials, including trees, shall be installed between and along the outer edges of the paths. A drip irrigation system shall be installed to provide water to the landscaping.

12. Appropriate curb cuts, ramps, and path slopes for accessibility shall be provided.
13. A paved pathway a minimum of ten (10) feet in width with landscaping along its southern edge shall be provided along the northern edge of the subject project linking the River Park with the intersection of Golf Links Road and Camino Seco. The pathway may be located within the public right-of-way of Golf Links Road if sufficient space exists.
14. Pedestrian easements shall be located as shown on the preliminary development plan dated November 22, 2002. Pedestrian easements are to be a minimum of twenty-feet wide with an all-weather six-foot wide pedestrian path, and shall include canopy trees and low ground cover planting.
15. Lots 4, 44-46, 48, 50, 52, 55, 58, 61, 64, and 67 as identified on the preliminary development plan dated November 22, 2002, shall be restricted to one-story. Lots 1-3 and 68-71 may be two stories, but the building setback shall be a minimum of 46 feet from the west property line.
16. Screen walls adjacent to the River Park shall be designed as “view walls.” View walls shall be a minimum of 80 percent open and shall be constructed of wrought iron or other similar attractive open fencing material above three (3) feet above grade. At the discretion of the original buyers of lots 4 through 43, the developer shall construct pedestrian gates at the rear of these units to provide direct access onto the Pantano Wash area.
17. Preserve in place healthy native trees found within the common area at the south end of the rezoning site. Pruning and thinning of native trees within the common area shall be conducted by professional landscape staff only.
18. Any required or proposed masonry screen walls shall be constructed of, or painted with, graffiti-resistant materials and 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. Enhance the visual appearance of any continuous wall along a street frontage greater than 75 feet in length and 3 feet in height, by varying the wall alignment (jog, curve, notch, or setback etc.) and include trees or shrubs in the voids created by the variations.

19. Canopy trees shall be planted along all interior streets a minimum of one tree every other lot.
20. The local street cross-section within the subdivision shall be designed to accommodate on-street parking on both sides of the street.
21. 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.
22. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
23. Tree canopies along streets and in open space/parks areas shall be pruned up to preserve visibility below six feet above grade.
24. “Safe by Design” concepts shall be incorporated in the subdivision plat for review by the Tucson Police Department.
25. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
26. Five years are allowed from the date of initial authorization to comply with all Code requirements and conditions of rezoning.

Four written approvals and seven written protests have been received. Two of the protests are within the 150 foot area, representing a 4.99 percent protest by area to the west and a zero percent protest by area to the north, south, and east.

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

10. WATER: NOTICE OF INTENTION TO IMPLEMENT WATER “SYSTEM EQUITY” FEE AND SCHEDULING A PUBLIC HEARING FOR MARCH 17, 2003

- (a) Report from City Manager JAN13-03-35 CITY-WIDE AND OUTSIDE THE CITY
- (b) Resolution No. 19480 relating to water; authorizing the adoption of a Notice of Intention to implement a water “system equity” fee; and declaring an emergency.

The City Manager recommends that the Mayor and Council:

- Adopt the Notice of Intention to implement new water fee.
- File the *Water System Equity Fee Study*, which includes the proposed fee schedule, with the City Clerk: and
- Establish March 17, 2003, as the date for a public hearing on the proposed fee.

11. PUBLIC HEARING: PROPOSED REVISIONS TO THE “TUCSON SIGN CODE” (TUCSON CODE CHAPTER 3)

- (a) Report from City Manager JAN13-03-36 CITY-WIDE
- (b) Hearing on proposed amendments to the Tucson Code, Chapter 3, “Tucson Sign Code” to:
 - 1. Add a new provision relating to multipurpose facility wall signs and permitting them to include electronic and video features (Ordinance No. 9805)
 - 2. Reduce the allowable size of political signs in non-residential districts to sixteen square feet (16 sq. ft.) and reduce the allowable height of political signs in all districts to five feet (5’) (Ordinance No. 9806)
 - 3. Permit model home display packages in single family residential districts, add a fee for model home display packages and remove from the list of prohibited sign types flags that are part of a model home display package (Ordinance No. 9807)
 - 4a. Add a real estate sign fee exemption for owner-occupied single family residences (Citizen Sign Code Committee not recommending this option)

- 4b. Add a real estate sign fee exemption for a property containing up to four (4) residential units where at least one (1) unit is owner-occupied (Ordinance No. 9808 – unanimously recommended by Citizen Sign Code Committee)

- (c) Ordinance No. 9805 relating to advertising and outdoor signs; amending Tucson Code Chapter 3, Article V, Section 3-58 by adding new provisions relating to multipurpose facility wall signs and permitting them to include electronic and video features; and declaring an emergency.

- (d) Ordinance No. 9806 relating to advertising and outdoor signs; amending the Tucson Code, Chapter 3, Article V, Section 3-63 relating to political sign requirements; reducing the permitted size of political signs in non-residential districts to sixteen square feet; reducing the permitted height of political signs in all districts to five feet; and declaring an emergency.

- (e) Ordinance No. 9807 relating to advertising and outdoor signs; amending Tucson Code Chapter 3, Article IV, Section 3-41 relating to signs permitted in the single-family residential district; permitting model home display packages in single-family residential areas; amending Tucson Code Chapter 3, Article III, Section 3-27, to add a fee for model home display packages; amending Tucson Code Chapter 3, Article VIII, Section 3-77, to remove from the list of prohibited sign types flags and pennants that are part of a model home display package; and declaring an emergency.

- (f) Ordinance No. 9808 relating to advertising and outdoor signs; amending the Tucson Code, Chapter 3, Article III, Section 3-27; adding a real estate sign fee exemption for a property containing up to four residential units where at least one unit is owner-occupied; and declaring an emergency

The City Manager recommends approval of Ordinance No. 9805, No. 9806, and No. 9808, and to remand Ordinance No. 9807 to the Citizen Sign Code Committee for further clarification.

12. PUBLIC HEARING: RINCON SOUTHEAST SUBREGIONAL PLAN AMENDMENT, MAP DETAIL #9, WILMOT/JULIAN WASH

- (a) Report from City Manager JAN13-03-37 WV
- (b) Hearing for a proposed amendment to the Rincon Southeast Subregional Plan to allow residential uses on a 100-acre site designated for commercial and industrial use. The site is located north of the Julian Wash, south of the Union Pacific Railroad, and west of Wilmot Road. The amendment would change the land use intensity from Urban Industrial (I) to Medium Intensity Urban (MIU).

The applicant is DRE & Associates on behalf of KB Home, Inc.

The Planning Commission voted 6-4 to forward a recommendation to the Mayor and Council in support of the proposed plan amendment. Because 7 affirmative votes are needed to forward such a recommendation, the Commission then voted 10-0 to recommend that the Mayor and Council consider the items discussed by the Commission, based on the proposal presented by the applicant and recommendations by staff, in making the final Mayor and Council determination.

The City Manager recommends denial of the proposed Rincon Southeast Subregional Plan (RSSP) amendment. Should the Mayor and Council want to amend the RSSP to permit additional uses on this site, the Mayor and Council should direct staff to provide direction.

13. PUBLIC HEARING: (C9-85-95) 22ND STREET/PANTANO PARKWAY ANNEXATION DISTRICT, C-3 ZONING, CHANGE OF CONDITIONS, ORDINANCE ADOPTION

- (a) Report from City Manager JAN13-03-38 WII
- (c) Hearing on a request to allow body-work and painting of automobiles and similar vehicles as allowed in the underlying zoning in the annexation area. The applicant is proposing to develop the property with an auto body and painting business. The property is located on the south side of Bowline Road, west of Sarnoff Drive.

The material on this item will be distributed on Thursday, January 9, 2003.

14. PUBLIC HEARING: RINCON SOUTHEAST SUBREGIONAL PLAN AMENDMENT, MAP DETAIL #4, HARRISON/I-10 (PANTANO ROAD-VOYAGER ROAD)

- (a) Report from City Manager JAN13-03-39 WIV
- (b) Hearing on a proposed Land Use Intensity Category amendment to designate a 64 acre parcel as Medium High Intensity Urban (MHIU) to allow a wider range of residential uses. Currently, the Plan designates a Land Use Intensity Category of Medium Intensity Rural (MIR) for the amendment site. In addition, the applicant seeks to amend for this parcel only the MHIU Land Use Intensity Category to include the SR Zoning District for the development of a golf course on a portion of the proposed amendment site. The amendment site is located at the southwest corner of the Pantano Road alignment and Voyager Road, approximately one-half mile south of Interstate-10.

The material for this item will be distributed on Thursday, January 9, 2003.

15. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager JAN13-03-25 CITY-WIDE

16. 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."

17. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, January 27, 2003, at 7:30 p.m., in the Maricopa/Mojave Rooms, Tucson Convention Center, 260 South Church, Tucson, Arizona.