



MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

MONDAY, JUNE 16, 2003 – 2:00 P.M.
TUCSON CONVENTION CENTER
260 SOUTH CHURCH AVENUE, TUCSON, ARIZONA
COPPER BALLROOM (USE WEST ENTRANCE ON GRANADA AVENUE)

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Trevor Hubbs, Welcome Baptist Church

PLEDGE OF ALLEGIANCE – Mayor and Council and public in attendance

PRESENTATION

- (a) Recognition of Joseph Robinson, Softball Umpire-In-Chief for the Department of Parks and Recreation, as an “Extraordinary Citizen”

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager JUNE16-03-337 CITY-WIDE

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

- (a) Report from City Manager JUNE16-03-338 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 S

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 JUNE16-03-335 CITY-WIDE
- (b) LIQUOR LICENSE APPLICATION(S)

New License(s)

- | | | |
|-----|--|---|
| (1) | MOUNTAIN OYSTER CLUB
6400 E. El Dorado Circle #100
Applicant: Forrest L. Metz
City #028-03, located in Ward 2
Series #14
Action must be taken by: June 21, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
| (2) | CUVÉE WORLD BISTRO
3352 E. Speedway Blvd.
Applicant: Mitchell B. Levy
City #030-03, located in Ward 6
Series #12
Action must be taken by: July 3, 2003 | <u>Staff Recommendation</u>

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

(3) RED SKY BISTRO & CAFE
5523 E. Grant Road
Applicant: Steven S. Schultz
City #031-03, located in Ward 2
Series #12
Action must be taken by: July 6, 2003

Staff Recommendation

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

(4) LA CHOLLA FOOD STORE
1777 W. 36th Street
Applicant: Satyendra S. Bhati
City #035-03, located in Ward 1
Series #10
Action must be taken by: July 7, 2003

Staff Recommendation

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

Public Opinion: **PROTEST FILED**
 SUPPORT FILED

NOTE: State law provides that for a new license application, “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)

(5) STARR PASS GOLF CLUB
3645 W. 22nd Street
Applicant: Malcolm M. Fujita
City #029-03, located in Ward 1
Series #6
Action must be taken by: June 26, 2003

Staff Recommendation

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

NOTE: For a person to person transfer Mayor and Council may consider the applicant’s capability, qualifications and reliability.

(c) Special Event(s)

(1) SOUTH TUCSON LIONS
4825 S. 6th Avenue
Applicant: Fernando Acevedo
City #T047-03, located in Ward 5
Date of Event: June 22, 2003
(Fundraiser)

Staff Recommendation

Police: In Compliance
DSD: In Compliance
Parks & Rec.: In Compliance

(d) Extension of Premises

(1) KICKSTART GRILL

8987 E. Tanque Verde Road, Suite 335

Applicant: John W. Fahlberg

City #EP21-03, located in Ward 2

Date of Event: June 22, 2003

July 6, 2003

Type: Temporary

Series: #12

(Cancer Benefit & Bike Show)

Staff Recommendation

Police: In Compliance

DSD: In Compliance

8. FINANCE DIRECTOR: APPOINTMENT OF THE FINANCE DIRECTOR FOR THE CITY OF TUCSON

(a) Report from City Manager JUNE16-03-343 CITY-WIDE

(b) Ordinance No. 9865 relating to the Department of Finance; approving the appointment of Scott Douthitt as the Director of Finance and fixing compensation; and declaring an emergency.

9. ZONING: (C9-97-08) HOUGHTON-IRVINGTON LP – IRVINGTON ROAD, MH-1 ZONING, CHANGE OF CONDITIONS AND DEVELOPMENT PLAN - ORDINANCE ADOPTION

(a) Report from City Manager JUNE16-03-334 W4

(b) This is a request to allow a change to the development plan for property located northwest of the northwest corner of Irvington and Houghton Roads. Applicant: Michael Shipione of Full Circle Engineering on behalf of the property owners Houghton-Irvington LP. The original rezoning request covered 17 acres, 15 acres of MH-1 zoning and 2 acres of C-1 zoning. This request addresses the 15 acres of the MH-1 zoned portion only.

The applicant is proposing to develop this approximately 15 acre site with a 71 unit single family subdivision of site-built homes in lieu of the previously approved 69 space manufactured housing development. The applicant also proposed deleting an internal recreation center that was proposed as part of the manufactured housing development.

The City Manager recommends approval of the requested change of conditions and development plan and adoption of the ordinance as presented.

Within the text of the recommended conditions, new text is underlined, deleted text is ~~strikethrough~~.

1. A subdivision plat/development plan, in substantial compliance with the preliminary development plan, shall be submitted and approved in accordance with Section 5.3.8 of the *LUC*, including, but not limited to:
 - a. The applicant shall submit a soil remediation study detailing the type and location of soil contaminants, and remediation proposals, to the Arizona Department of Environmental Quality for review and approval. A copy of the final report shall be submitted to the City at the time of development plan submittal.
 - b. No more than ~~99 mobile homes~~ 71 residential units and ~~12,000 square feet of commercial uses shall be permitted~~ a private, noncommercial storage area for RV's and boats for residents of the subdivision.
 - c. The maximum building height shall be limited to 20 feet for the MH-1 portion of the rezoning site, and 27 feet for the C-1 portion of the rezoning site, utilizing the height definition provided in the *Tucson Land Use Code (LUC)*.
 - d. Security lighting, if provided, shall be mounted no higher than sixteen (16) feet above grade and directed away from adjacent residential uses.
 - e. A cross-access easement shall be provided, when and if one is determined necessary by the City as part of the future development of the excluded parcel west of the C-1 rezoning site.
 - f. A minimum five-foot high masonry wall shall be constructed along Mesquite Ranch Drive and Irvington Road adjacent to the recreational vehicle and boat storage area. All required or proposed masonry 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 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.
 - g. Dumpsters shall be located a minimum of 50 feet away from residentially-zoned properties, or if located closer than 50 feet, additional landscaping and screening, including three (3) additional canopy trees, shall be provided adjacent to the dumpster enclosures and the openings shall not face residentially zoned property.
 - h. Cross access shall be provided between the two commercial buildings.

- i. All areas of the storage area used for vehicle and boat storage shall be surfaced per City standards.
 - j. A "fair disclosure statement" regarding operations on Davis-Monthan Air Force Base and the Pima County maintenance facility north of the site shall be provided on the development plan or subdivision plat.
 - k. Access shall be limited to ~~three (3)~~ two (2) vehicular access points from ~~Irvington Mesquite Ranch~~ Road and ~~two (2)~~ one (1) from Houghton Road. ~~All driveways shall be a minimum 200 feet from the centerlines of Houghton Road and Irvington Road as measured to the center of the driveway. Vehicular access to the residential lots and storage area shall be from the interior street system only.~~
2. The rezoning site is subject to the Native Plant Preservation Ordinance. Ten (10) feet of landscaping shall be included along the Houghton Road, Irvington Road, and Mesquite Ranch Drive frontages, as approved by the City Engineer's Office in conjunction with the design for the required improvements to both roads. Along the north property boundary, canopy trees shall be planted at a maximum spacing of 25 feet apart.
 3. A pedestrian connection shall be provided linking the proposed commercial area with the proposed ~~mobile home park~~ residential units to the north, utilizing the pedestrian sidewalk along Houghton Road.
 4. The owner/applicant shall dedicate right-of-way for Irvington Road and Houghton Road, per *the Major Streets and Routes Plan*, including a 25-foot radius spandrel at the southeast corner of the rezoning site.
 5. The applicant/property owner shall construct curb and sidewalk along both the Irvington Road and Houghton Road frontages. These improvements shall be coordinated with the Engineering Division Design Section.
 6. The applicant shall install additional pavement in the Houghton Road right-of-way, so that there is a minimum of thirty-six (36) feet of pavement from Irvington Road northward to the northernmost access point, with appropriate transitions from that point further to the north. Additional pavement for bike lane on Houghton Road is also required. These improvements shall be coordinated with the City Engineering Design Section.
 7. The applicant shall install an additional sixteen (16) feet of pavement in the Irvington Road right-of-way, along the frontage of the subject property, north of the existing edge of pavement, consistent with the approved City of Tucson Plan No. I-85-82, plus transitions. These improvements shall be coordinated with the Engineering Division Design Section.

8. A drainage report shall be submitted and approved, including details of the retention/detention as required. All channel improvements shall be utilize graffiti resistant materials. The applicant shall dedicate drainage easements, if requested by the City Engineer's Office.
9. "Safe by Design" concepts shall be incorporated in the development plan/subdivision plat for review by the Tucson Police Department.
10. If cultural remains are found during site grading, all further grading shall cease and the City Historic Preservation Office shall be contacted for on-site recovery and/or mitigation.
11. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
12. Compliance with all Code requirements and conditions of rezoning by June 16, 2007. A financial contribution equal to half of the cost of the trail improvements within the Houghton Road Greenway (\$22 per linear foot) along the Houghton Road frontage of the rezoning site is required.
13. On-street parking shall be provided on both sides of all streets.
14. The required streetscape landscaping shall include trees located within the adjacent residential lots a maximum of 16 feet from the back of curb, at an interval of one tree every-other lot. A typical detail for street trees on residential access streets shall be provided on the tentative plat/landscape plan.
15. The entryway design at Houghton Road access shall reflect the character and identity of the scenic route designation and include the Houghton Road Corridor plant palette.
16. A six foot tall decorative masonry wall together with canopy trees planted 25 feet on center, shall be provided along the north property line.
17. Use of the RV/boat storage facility is limited to RV/boat storage only. A six (6) foot tall decorative masonry wall and ten (10) foot wide landscaped strip with canopy trees planted 25 feet on center shall be provided along the north, east and west sides of the RV/boat storage facility. A five (5) foot tall decorative masonry wall shall be provided along the south side.
18. The rezoning site shall be subject to the requirements of the City of Tucson Landfill Ordinance No. 8852.

- (c) Ordinance No. 9858 relating to zoning: amending Ordinance No. 9702 and amending conditions for approval of the zoning district boundaries in the area located at the northwest corner of Houghton Road and Irvington Road in case C9-97-08, Houghton/Irvington LP – Irvington Road, SR to MH-1; and setting an effective date.

Two (2) written approvals and zero (0) written protests have been received for this case.

A simple majority vote will be necessary to approve the requested change of development plan and adopt the ordinance presented.

10. PROFESSIONAL SERVICES CONTRACT: RENEWAL OF WASHINGTON, D.C. CONSULTANT CONTRACT WITH BRACY TUCKER BROWN

- (a) Report from City Manager JUNE16-03-352 CITY-WIDE

This request for contract renewal contains the same terms, conditions and funding levels approved by Mayor and Council for fiscal year 2003.

City Manager recommends approval of the renewal of the contract for Fiscal Year 2004.

11. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager JUNE16-03-353 (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, June 23, 2003, at 7:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.