



MAYOR & COUNCIL MEETING NOTICE & AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Mayor and Council and to the general public that the Mayor and Council will hold the following meeting, which will be open to the public:

REGULAR AGENDA

**TUESDAY, NOVEMBER 21, 2006 – 5:30 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Pastor John Luttmann, Real Life Christian Fellowship

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

a. Report from City Manager NOV21-06-627 CITY-WIDE

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

a. Report from City Manager NOV21-06-628 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

a. Report from City Manager NOV21-06-629 CITY-WIDE

b. Liquor License Applications

Person/Location Transfer

1. CVS / pharmacy #07867, Ward 6
5100 E. Grant Road
Applicant: Jason Barclay Morris
Series 9, City 109-06
Action must be taken by: December 10, 2006

Staff has indicated the applicant is in compliance with city requirements.

NOTE: State law provides that for a person and location transfer, Mayor and Council may consider both the applicant's capability, qualifications, reliability and location issues. (A.R.S. Section 4-203; R19-1-102)

c. Special Event

1. Greater Tucson Leadership, Ward 1
On Congress, between Church and Stone
Applicant: Leanor Priscilla Peterson
City T83-06
Date of Event: December 2, 2006
Fundraiser

Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change/Acquisition of Control

1. Louis Market, Ward 5
4009 S. 12th Ave.
Applicant: Da Qiang Mei
Series 09, City AC21-06
Action must be taken by: December 11, 2006

Staff has indicated the applicant is in compliance with city requirements.

NOTE: The local governing body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control. (A.R.S. Section 4-203.F)

6. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on any issue except for items scheduled for a public hearing at the meeting. Speakers are limited to three minute presentations. Speakers must state their name, address, whether they reside in the City of Tucson, whom they represent, and the subject matter. Any person who is representing a person other than themselves and is receiving compensation to influence an action by the Mayor and Council, shall, before speaking, identify themselves as a “retained speaker”. 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".

7. CONSENT AGENDA – ITEMS A AND B

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 no 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.

8. ANNEXATION: UNIVERSITY OF ARIZONA SCIENCE AND TECHNOLOGY PARK ANNEXATION DISTRICT, ORDINANCE ADOPTION

- a. Report from City Manager NOV21-06-636 WARD 4
- b. Ordinance No. 10298 relating to annexation; extending and increasing the corporate limits of the City of Tucson, Pima County, Arizona pursuant to the provisions of Title 9, Chapter 4, Arizona Revised Statutes, by annexing thereto certain portions of Sections 17, 18, 19, 20, 21, 28, and 29, T.15 S., R.15 E., G.&S.R.B.& M., Pima County, Arizona, more particularly described in the body of this ordinance; and declaring an emergency.

9. ZONING: (C15-06-01) ESTABLISHMENT OF ORIGINAL CITY ZONING FOR THE ARIZONA BOARD OF REGENTS ANNEXATION DISTRICT, ALSO KNOWN AS THE UNIVERSITY OF ARIZONA SCIENCE AND TECHNOLOGY PARK ANNEXATION DISTRICT, COUNTY I-1 AND I-2 TO CITY I-1 AND I-2, EXTENSION OF MAJOR STREETS AND ROUTES, EXTENSION OF THE ENVIRONMENTAL RESOURCE ZONE, EXTENSION OF THE AIRPORT ENVIRONS ZONE, CITY MANAGER’S REPORT, AND ORDINANCE ADOPTION

- a. Report from City Manager NOV21-06-634 WARD 4
- b. Report from Zoning Examiner dated May 5, 2006
- c. This is a request to establish original City zoning for the University of Arizona Science and Technology Park Annexation District, aka Arizona Board of Regents Annexation District, from County I-1 (Light Industrial/Warehouse) and County I-2 (General Industrial) to City I-1 (Light Industrial) and City I-2 (Heavy Industrial). The annexation district is comprised of 573 acres bounded by Kolb Road on the west, Interstate 10 (I-10) on the south, the Union Pacific Railroad and vacant land on the north and by the University of Arizona Science and Technology Park (UASTP) on the east.

The Zoning Examiner and staff recommend approval of the I-1 zoning and I-2 zoning, extending the Major Streets and Routes (MS&R), extending the Environmental Resource Zone (ERZ), and extending the Airport Environs Zone (AEZ) within the Arizona Board of Regents Annexation District.

Zero (0) written approvals and zero (0) written protests have been received prior to the Zoning Examiner’s public hearing.

- d. Ordinance No. 10291 relating to zoning; establishing original City zoning for approximately 573 acres bonded by Kolb Road on the west, Interstate 10 (I-10) on the south, the Union Pacific Railroad and vacant land on the north and by the University of Arizona Science Technology Park (UASTP) on the east, which will be annexed to the City of Tucson prior to the effective date; and specifying an effective date.

A simple majority vote will be necessary to adopt the ordinance as presented.

10. ZONING: (C9-06-02) ARIZONA BOARD OF REGENTS – KOLB ROAD, I-1/I-2 TO R-2, CITY MANAGER’S REPORT – ORDINANCE ADOPTION

- a. Report from City Manager NOV21-06-626 WARD 4

Material for this item will be available on the City website and in the City Clerk’s office as soon as it becomes available.

11. ZONING: (C9-06-23) DRACHMAN INSTITUTE – 15TH STREET I-1 TO R-2, CITY MANAGER’S REPORT AND ORDINANCE ADOPTION

- a. Report from City Manager NOV21-06-630 WARD 5
- b. Report from Zoning Examiner dated October 19, 2006
- c. Request to rezone approximately 0.71 acres from I-1 (Light Industrial) to R-2 (Medium Density Single-and Multi-family Residential) zoning. Applicant: Corkey Poster of the Drachman Institute, on behalf of the City of Tucson.

The rezoning site is located on the southwest corner of 15th Street and Star Avenue and on the north sides of Barraza-Aviation Parkway. The applicant, who is also the developer, proposes to create a new five-lot subdivision and construct five, one-story single-family residences.

The Zoning Examiner recommends authorization of R-2 zoning. The City Manager recommends authorization of R-2 zoning subject to the conditions provided in the ordinance, and adoption of the ordinance.

Six (6) written approvals and Zero (0) written protests were received prior to the Zoning Examiner’s public hearing on October 12, 2006.

- d. Ordinance No. 10342 relating to zoning: amending zoning district boundaries in the area located on the southwest corner of 15th Street and Star Avenue in Case C9-06-23, Drachman Institute – 15th Street, I-1 to R-2; and setting an effective date.

A simple majority vote will be necessary to pass and adopt the ordinance.

12. ZONING: (SE-06-12) ALLTEL – 7TH AVENUE C-1, SPECIAL EXCEPTION LAND USE, CITY MANAGER’S REPORT AND ORDINANCE ADOPTION

- a. Report from City Manager NOV21-06-631 WARD 6
- b. Report from Zoning Examiner dated October 19, 2006
- c. This is a Special Exception Land Use request to allow a communications use. Applicant: Beverly Kinison of Alltel Communications, on behalf of the property owner, NorthStar Management. The preliminary development plan is for a cellular communications tower disguised as a 59-foot tall palm tree and a 216 square foot equipment shelter. The site is located on the east side of 7th Avenue between Mabel and Helen Streets.

The Zoning Examiner recommends approval of the special exception land use request.

Staff recommends approval of Special Exception Land Use request and adoption of the attached ordinance.

Three (3) written approvals and three (3) written protests have been received for this case. One of the protests is within the 150 foot area, representing a 19 percent protest by area to the north, and zero (0) percent in all other quadrants. The protests allude to concerns regarding height of monopole, views, and health issues.

- d. Ordinance No. 10343 relating to zoning; a special exception land use – communications use – Alltel – 7th Avenue – east side of 7th Avenue between Mabel and Helen Streets; approving with conditions the construction of a 59 foot tall cellular communications tower disguised as a palm tree in the C-1 zone – Case SE-06-12; and setting an effective date.

A simple majority vote will be necessary to approve the special exception land use.

13. ZONING: (C9-05-23) HARKIN THEATERS – CALLE SANTA CRUZ, P-I TO C-3, ORDINANCE ADOPTION

- a. Report from City Manager NOV21-06-632 WARD 1
- b. Ordinance No. 10344 relating to zoning: amending zoning district boundaries in the area located on the east side of Calle Santa Cruz, south of Irvington Road in Case C9-05-23, Harkin Theaters – Calle Santa Cruz, P-I to C-3; and setting an effective date.

A simple majority vote will be necessary to adopt the ordinance.

14. CITY CLERK: REAPPOINTMENT OF CITY CLERK

- a. Report from City Manager NOV21-06-633 CITY-WIDE
- b. Ordinance No. 10345 relating to City Clerk; appointing a City Clerk; and declaring an emergency.

15. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager NOV21-06-625 CITY-WIDE

16. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, November 28, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.