



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

WEDNESDAY, FEBRUARY 21, 2007 – 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 – Leondra Price, City of Tucson Equal Employment Opportunity Office

PLEDGE OF ALLEGIANCE – Led by Catalina Magnet High School Air Force Jr. ROTC

PRESENTATIONS

- a. Presentation to Fire Control Technician First Class William Poddig as “Senior Sailor of the Year” and Machinists Mate Fireman Justin Straight as “Blue Jacket of the Year”

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager FEB21-07-87 CITY-WIDE

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

- a. Report from City Manager FEB21-07-88 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager FEB21-07-89 CITY-WIDE
- b. Liquor License Applications

Person Transfer(s)

- 1. Speak Easy Bar & Restaurant, Ward 6
1120 S. Wilmot Rd.
Applicant: Thursdivina S. Popp
Series 6, City 3-07
Action must be taken by: March 11, 2007

Review in process.

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

- c. Special Event(s)

- 1. Tucson Waldorf Education Assoc., Ward 3
401 E. Limberlost
Applicant: Deanna Catherine Chevas
City T7-07
Date of Event: March 10, 2007
(Silent Auction Fundraiser)

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

- 2. WM Symposia, Inc., Ward 1
140 N. Main Ave.
Applicant: James Voss
City T8-07
Date of Event: February 28, 2007
(Social, Networking Dinner at Conference)

Review in process.

- d. Agent Change(s)

NOTE: There are no agent changes scheduled for this meeting.

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 THROUGH J

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. PUBLIC HEARING: FEDERAL TRANSIT ADMINISTRATION GRANT APPLICATION FOR FEDERAL FISCAL YEAR 2006

- a. Report from City Manager FEB21-07-97 CITY-WIDE
- b. Hearing on a grant application for the Federal Fiscal Year 2006 to receive the City of Tucson's allocation as published in the Federal Register.
- c. Resolution No. 20585 relating to transportation; authorizing and approving the submission of a Federal Transit Administration (FTA) Section 5307 Formula Grant Application for Federal Fiscal Year 2006 Grant AZ-90-X090; and declaring an emergency.

9. PUBLIC HEARING: AMENDING TUCSON CODE (CHAPTER 3) REGARDING THE COMPOSITION OF THE SIGN CODE ADVISORY AND APPEALS BOARD

- a. Report from City Manager FEB21-07-86 CITY-WIDE
- b. Hearing on a proposal to delete the professional affiliation requirements for appointees to the Sign Code Advisory and Appeals Board.
- c. Ordinance No. 10376 relating to outdoor signs; amending the Tucson Code, Chapter 3, Advertising and Outdoor Signs, Article XIV, Sign Code Advisory and Appeals Board, Sec. 3-115, Membership, term, removal from office; and setting an effective date.

10. ZONING: (C9-01-18) STREAMS IN THE DESERT LUTHERAN – LEE STREET, R-1 TO R-2, REQUEST FOR REACTIVATION AND TIME EXTENSION (CONTINUED FROM THE MEETING OF FEBRUARY 6, 2007)

- a. Report from City Manager FEB21-07-98 WARD 6
- b. Request to allow a five-year time extension for the completion of the rezoning conditions for a property located on the northwest corner of Lee Street and Woodland Avenue. Applicant: Paul Olson of Olson Shaheen Architects, on behalf of the property owner, Streams in the Desert Lutheran Church. The preliminary development plan proposes 36 elderly housing units and a 2,688 square-foot adult daycare facility on 2.48 acres which also includes existing parking for the adjacent church to the north.

The original five-year authorization expired on December 17, 2006. On February 6, 2007, Mayor and Council voted 7 to 0 to close the public hearing and to continue this item for two weeks to allow the Ward 6 Council office to meet with the neighbors and listen to what their concerns are before the Mayor and Council take any further action. If the time extension is granted by the Mayor and Council, this case will reach the ten year limit on December 17, 2011.

Staff recommends the Mayor and Council reactivate the rezoning and approve the requested five-year time extension from December 17, 2006, to December 17, 2011, subject to compliance with the following revised recommended conditions:

The following recommended conditions are based on the conditions approved by Mayor and Council on December 17, 2001. Within the recommended conditions, new text is underlined, deleted text is ~~strikethrough~~.

1. A development plan, in substantial compliance with the preliminary development plan and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8 of the *LUC*, including, but not limited to:
 - a. All units along Lee Street a maximum of one-story.
 - b. Minimum building setback of thirty-five (35) feet from the property line along Lee Street.
 - c. Minimum building setback of twenty-nine (29) feet from the west property line.
 - d. No vehicular access to Lee Street.
2. The two existing driveways on Woodland Avenue shall be signed, “No Right Turn”.
3. A detailed hydrology and hydraulics report addressing both detention and retention analysis shall be prepared and submitted for approval. A 5-year threshold retention storage shall be provided onsite, covering the entire 4.0 acres site which includes the Streams in the Desert church site. ~~A separate set aside detention/retention facility is required.~~
 - a. Each detention/retention basin shall include a sediment trap, or other sediment control measures as approved by the City Engineer, to prevent sedimentation of the detention/retention basin. Each sediment trap, or other sediment control measure, shall have a provision for total drainage.
 - b. Detention/retention basin floors shall be graded to drain either toward the outlet structure or other logical point. Basin floors shall not be flat.
 - c. Detention/retention basins in or adjacent to the residential area shall be located adjacent to a street or accessible common area. Basin sideslopes in the adjacent area(s) shall be designed and constructed in accordance with the requirements of the Detention/Retention Manual for human activity zones.
 - d. Rectangular basin shapes shall be avoided unless necessitated by recreational or visual amenities within the basin.
 - e. Vegetation shall be used as screening and/or security barrier for a minimum of ten percent of the basin perimeter.

f. All security barriers and screening for detention/retention basins shall meet Safe By Design guidelines.

4. Water harvesting techniques shall be extensively used by conveying all rooftop and parking area drainage to landscape areas prior to discharging the outflows into Pima Street and/or adjacent properties to the northwest.
5. The finished floor elevations of buildings shall be placed one foot above the top of adjacent curbs in Lee Street.
6. All units along Lee Street shall have sloped roofs of similar materials found in the neighborhood.
7. The two-story building shall be designed with a variety of roof lines to provide view corridors to mountain peaks from the adjacent residence to the west and to help reduce the appearance of height and bulk.
8. Second-story balconies or bay windows are not to face residential zones or uses to the west.
9. All rear and side building facades visible from streets or adjacent properties shall be designed with attention to architectural character and detail comparable to the front façade.
10. All buildings, screening (if not vegetative materials), and other structures shall be earth-tone colored.
11. A six (6)-foot screen and a ten (10)-foot wide landscape border shall be installed along Woodland Avenue and Lee Street.
12. A twenty (20)-foot wide landscape border shall be installed along the west property line. This landscaping shall consist of a double row of 24-inch box canopy trees, with a 25-foot spacing between trees, and a second row off-set ten (10) to fifteen (15) feet from the first row, with a spacing between rows of ten (10) feet. The offset row of trees shall extend north from Lee Street a minimum of twenty (20) feet beyond the depth of the adjacent R-1 to the west. These screening trees shall be of a variety reaching a minimum height of twenty-five (25) feet.
13. 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.

14. 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.
15. All outdoor pole and building lighting shall be directed down and away from residential parcels and public roadways and not exceed sixteen (16) feet in height.
16. All new dumpsters and loading spaces shall be placed at least fifty (50) feet from residentially zoned or developed property.
17. All required loading spaces shall be located on site.
18. All signs shall be integrated into the overall design of the new building, improving overall aesthetic appeal and promoting ease of use of the development. A detail of the signs shall be included in the development plan to be reviewed.
19. If archaeological features are found during project construction, testing and data recovery will 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.
20. "Safe by Design" concepts shall be incorporated in the development plan for review by the Tucson Police Department.
21. Street numbers shall be clearly visible from public rights-of-way and emergency service access and shall be placed at each property access point. The size, location, and style of numerals shall be based on the character of the building.
22. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
23. Five years are allowed in which to comply with all Code requirements and conditions of rezoning.

Four (4) approvals and five (5) protests have been received. Three (3) protests are within the 150-foot area, representing 36.91 percent protest by area to the south. The protests referred to noise, pollution, increased traffic concerns, and impact on property values.

A three-fourths majority vote will be necessary to adopt the rezoning ordinance when presented to Mayor and Council.

11. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager FEB21-07-95 CITY-WIDE

12. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, February 27, 2007, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.