



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, MARCH 20, 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 – Ceci Sotomayor, City Clerk’s Office

PLEDGE OF ALLEGIANCE – Led by Jesus Rodriguez and Michael Fields,
YouthWorks honor students

PRESENTATIONS

- a. Proclaiming March 13 through April 28, 2007, as “Arizona Multihousing Association Project S.A.F.E. Month”.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager MARCH20-07-131 CITY-WIDE

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

- a. Report from City Manager MARCH20-07-130 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager MARCH20-07-137 CITY-WIDE
- b. Liquor License Applications

New License(s)

- 1. WILKO, Ward 6
943 E. University Blvd. #171
Applicant: Peter Thomas Wilke
Series 10, City 11-07
Action must be taken by: April 2, 2007

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

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 the community will be substantially served by the issuance of a license”. (A.R.S. Section 4-201)

Person Transfer(s)

- 2. La Moviada, Ward 5
4525 S. Park Ave.
Applicant: Richard Lee Forbes
Series 6, City 8-07
Action must be taken by: March 26, 2007

Development Services and Revenue Investigations have indicated the applicant is in compliance with city requirements.

Tucson Police Department has submitted a report showing “no recommendation.” (CONTINUED FROM MAYOR AND COUNCIL MEETING OF MARCH 6, 2007)

Location Transfer(s)

- 3. The RumRunner, Ward 6
3131 E. First Street
Applicant: Jennifer Lea Elchuck
Series 9, City 5-07
Action must be taken by: March 25, 2007

Staff has indicated the applicant is in compliance with city requirements. (CONTINUED FROM MAYOR AND COUNCIL MEETING OF MARCH 6, 2007)

Public Opinion: Written Argument in Favor Filed

4. The RumRunner, Ward 6
3131 E. First Street
Applicant: Jennifer Lea Elchuck
Series 7, City 6-07
Action must be taken by: March 25, 2007

Staff has indicated the applicant is in compliance with city requirements.
(CONTINUED FROM MAYOR AND COUNCIL MEETING OF
MARCH 6, 2007)

Public Opinion: Written Argument in Favor Filed

NOTE: State law provides that for a location transfer, Mayor and Council may consider whether the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license at that location. (A.R.S. Section 4-203; Rule R19-1-102)

c. Special Event(s)

1. Tucson Breakfast Lions Club (TBLC), Ward 5
4823 S. 6th Ave.
Applicant: Wayne Francis Locke
City T11-07
Date of Event: April 13, 2007 - April 14, 2007
(Fundraiser)

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

2. Tucson Museum of Art, Ward 1
140 N. Main Ave.
Applicant: Alison Sylvester
City T14-07
Date of Event: March 31, 2007 - April 1, 2007
(Fundraiser - Artisan's Market)

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

d. Agent Change/Acquisition of Control

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 O

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: GRANT-ALVERNON AREA PLAN AMENDMENT – PA-07-01; ALVERNON WAY/LEE STREET–COMMERCIAL

- a. Report from City Manager MARCH20-07-143 WARD 6
- b. Hearing on a request by Don Laidlaw, on behalf of the property owners, CS&Z Holdings, Inc., represented by Scott Rhude, to amend the *Grant-Alvernon Area Plan (GAAP)* to allow two parcels totaling 0.58 acre to be used for commercial purposes, in addition to the residential and office uses already allowed. CS&Z Holdings owns four contiguous parcels at the northeast corner of Alvernon Way and Lee Street. The two northern parcels are zoned C-1, and the two southern ones R-2. They want to rezone the two southern parcels to C-1 and construct a culinary institute, which will be part of Chaparral College, on all four parcels. However, first they need to amend the *GAAP* to allow commercial uses on the southern two parcels.

At a public hearing on February 7, 2007, the Planning Commission voted unanimously (10-0) to recommend that the Mayor and Council amend the *GAAP* Conceptual Land Use Map to allow office, commercial, and high density residential uses on the amendment site.

Staff recommends that the Mayor and Council amend the *GAAP* Conceptual Land Use Map to allow office, commercial and high density residential uses on the amendment site.

- c. Resolution No. 20609 relating to planning and zoning; amending the *Grant-Alvernon Area Plan*; and declaring an emergency.

9. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23) THE LAND USE CODE; ADDING A NEIGHBORHOOD PRESERVATION ZONE OVERLAY

- a. Report from City Manager MARCH20-07-150 CITY-WIDE
- b. Hearing on a proposed amendment to the Tucson Code, Chapter 23, the *Land Use Code (LUC)* to make a new overlay zone called the Neighborhood Preservation Zone (NPZ).
- c. Ordinance No. 10381 relating to planning and zoning; amending the Tucson Code, Chapter 23, *Land Use Code*, Article II, Zones, Division 8, Overlay Zones, by adding a new Section 2.8.11, “N” Neighborhood Preservation Zone (NPZ); and setting an effective date.

Staff recommends the Mayor and Council continue this item to April 24, 2007.

10. PUBLIC HEARING: INCREASE IN THE WATER SYSTEM EQUITY FEE

- a. Report from City Manager MARCH20-07-145 CITY-WIDE & OUTSIDE CITY
- b. Hearing on a proposed increase in the Water System Equity Fee.

In compliance with State law pertaining to public notification and review procedures, the Mayor and Council will be asked to adopt the proposed fee at its April 4, 2007, meeting. If adopted, the fee will become effective on July 9, 2007.

11. PUBLIC HEARING: ESTABLISHING A CAP WATER RESOURCE FEE

- a. Report from City Manager MARCH20-07-128 CITY-WIDE & OUTSIDE CITY
- b. Hearing on a proposed CAP Water Resource Fee.

In compliance with State law pertaining to public notification and review procedures, the Mayor and Council will be asked to adopt the proposed fee at its April 4, 2007, meeting. If adopted, the fee will become effective on July 9, 2007.

12. BUILDING AND DEVELOPMENT: NOTICE OF INTENT TO ADOPT DEVELOPMENT IMPACT FEES FOR POLICE, FIRE, AND PUBLIC FACILITIES AND SCHEDULING A PUBLIC HEARING FOR MAY 22, 2007

- a. Report from City Manager MARCH20-07-151 CITY-WIDE
- b. Resolution No. 20611 relating to building and development: acceptance of the Impact Fee Study for the City of Tucson Police, Fire, and Public Facilities; notice of intent to adopt development impact fees for Police, Fire, and Public Facilities; scheduling a public hearing; and declaring an emergency.

13. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager MARCH20-07-132 CITY-WIDE

14. ADJOURNMENT

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