



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, OCTOBER 23, 2007 – 5:30 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 W. ALAMEDA, TUCSON, AZ)**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Draigg Phillips, City Clerk’s Office

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS

- a. Certificate of Appreciation and Recognition to John Wesley Miller Companies
- b. Proclaiming October 21 to 27 to be “National Save for Retirement Week”
- c. Presentation of a Copper Plaque for Evergreen Mortuary and Cemetery’s 100th Anniversary

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager OCT23-07-583 CITY-WIDE

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

- a. Report from City Manager OCT23-07-584 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager OCT23-07-597 CITY-WIDE
- b. Liquor License Applications

New License(s)

- 1. Zona 78, Ward 2
7301 E. Tanque Verde
Applicant: Richard Paul Fink
Series 12, City 73-07
Action must be taken by: October 28, 2007

Development Services has indicated the applicant is not in compliance with city requirements.

Tucson Police Department and Revenue have indicated the applicant is in compliance with city requirements.

(Continued from the Mayor and Council Meeting of October 16, 2007.)

- 2. El Sabroso Oakwood Grille, Ward 1
610 N. Grande Ave.
Applicant: Mario Durazo Torres
Series 12, City 74-07
Action must be taken by: November 9, 2007

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

- 3. La Rancherita Restaurant, Ward 3
3152 N. First Ave.
Applicant: Juanita Potts
Series 12, City 75-07
Action must be taken by: November 5, 2007

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

- 4. Wal-Mart Neighborhood Market #4603, Ward 4
5500 East 22nd Street
Applicant: Clare Hollie Abel
Series 10, City 76-07
Action must be taken by: October 7, 2007

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

5. Central Park West, Canal Street Pizza & Egg Rolls Etc., Ward 3
1800 E. Fort Lowell Rd. #136
Applicant: Michael Kevin Reynolds
Series 12, City 77-07
Action must be taken by: November 11, 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)

c. Special Event(s)

1. Salpointe Catholic High School, Ward 3
1545 E. Copper St.
Applicant: Marla J. Moreno
City T93-07
Date of Event: November 17, 2007
(Fundraising)

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

2. Glassman Foundation, Ward 2
6503 E. Tanque Verde
Applicant: Don W. Haskell
City T96-07
Date of Event: November 4, 2007
(Fundraiser for Local Children’s Charities)

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 K

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: AMENDING THE TUCSON FIRE CODE RELATING TO SPRINKLER REQUIREMENTS FOR BEHAVIORAL HEALTH GROUP HOMES

- a. Report from City Manager OCT23-07-601 CITY-WIDE
- b. Hearing on a proposed amendment to the Tucson Fire Code, to change the number of clients allowed in existing Behavioral Health group homes from more than five, to more than six, before the Fire Code’s retroactive fire sprinkler requirement applies to these homes.
- c. Ordinance No. 10470 relating to Fire Code, adopting an amendment to the Fire Code of the City of Tucson relating to sprinkler requirements for behavioral health group homes; and declaring an emergency.

9. PUBLIC HEARING: ZONING (C9-07-17) TMC PAD – GRANT ROAD, R-1, R-2, AND O-3 TO PAD 16 (TMC PLANNED AREA DEVELOPMENT), ORDINANCE ADOPTION

- a. Report from City Manager OCT23-07-594 WARD 2
- b. Hearing on a request to rezone property located on the northwest corner of Craycroft and Grant Roads from R-1, R-2, and O-3 to PAD 16 zoning. Applicant: Lewis and Roca, LLP, on behalf of the property owners, TMC HealthCare.

The approved development plan is for a new vertical hospital, with a maximum height of 150 feet, and the addition of new, or the expansion of the existing, related medical uses. The proposed PAD is consistent with and supported by the policy direction provided in the *General Plan* and the *Arcadia-Alamo Area Plan*.

The Zoning Examiner held a public hearing on September 20, 2007 on behalf of the Mayor and Council. The Zoning Examiner recommends approval of TMC PAD 16 zone.

Staff recommends adoption of the attached ordinance.

Four written approvals and three written protests have been received. Two of the protests lie within the 150 foot protest area, resulting in a protest by area of 0.17 percent to the west. The protests generally allude to views and traffic concerns.

- c. Ordinance No. 10468 relating to zoning: amending zoning district boundaries in the area located at the northwest corner of Grant Road and Craycroft Road in Case C9-07-17, TMC PAD – Grant Road, R-1, R-2 and O-3 to PAD 16 (TMC Planned Area Development); and setting an effective date.

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

10. ZONING: (C9-05-10) ORACLE/INA LLC – VALENCIA ROAD, C-1 TO C-1/C-2, ORDINANCE ADOPTION

- a. Report from City Manager OCT23-07-593 WARD 1
- b. Ordinance No. 10466 relating to zoning: amending zoning district boundaries in the area located at the southwest corner of Valencia Road and Headley Road in Case C9-05-10 (RZ 07-040), Oracle/Ina LLC – Valencia Road, C-1 to C-1/C-2; and setting an effective date.

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

11. ZONING: (C9-05-18) BLYTHE – HAWTHORNE STREET, R-1 TO O-2, ORDINANCE ADOPTION

- a. Report from City Manager OCT23-07-592 WARD 6
- b. Ordinance No. 10467 relating to zoning: amending zoning district boundaries in the area located at the northwest corner of Hawthorne Street and Wilmot Road in Case C9-05-18, Blythe – Hawthorne Street, R-1 to O-2; and setting an effective date.

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

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager OCT23-07-599 CITY-WIDE

13. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, November 6, 2007, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.