



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 13, 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 – Dr. Lester L. Potts, Veterans’ Affairs Committee

PLEDGE OF ALLEGIANCE – Led by Cub Scouts, Den 5, Pack 231

PRESENTATIONS

- a. Proclaiming November 14, to be “World Diabetes Day”
- b. Presentation to the Mayor and Council from Cox Communications

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager NOV13-07-609 CITY-WIDE

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

- a. Report from City Manager NOV13-07-610 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager NOV13-07-611 CITY-WIDE
- b. Liquor License Application(s)

NOTE: There are no applications for licenses scheduled for this meeting.

- c. Special Event(s)
 - 1. Southern Arizona AIDS Foundation (SAAF), Ward 6
1303 E. University Blvd.
Applicant: Mae Krueger
City T95-07
Date of Event: November 18, 2007
(Fundraiser - 19th Annual Jérôme Beillard Festival for Life)
Staff has indicated the applicant is in compliance with city requirements.
- d. Agent Change

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 D

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 TUCSON CODE (CHAPTER 4), PROHIBITING THE SALE OF ANIMALS AT SWAP MEETS AND ON PUBLIC PROPERTY AND INCREASING FINES FOR “LEASH LAW” VIOLATIONS

- a. Report from City Manager NOV13-07-607 CITY-WIDE
- b. Hearing on the proposed adoption of restrictions to the sale of animals and increased minimum fines for Dog at Large (“Leash Law”) violations.
- c. Ordinance No. 10475 relating to animals and fowl; amending the Tucson Code, Chapter 4, Animals and Fowl, Article I, In General, Section 4-8, to prohibit the sale of animals at swap meets and on public property and to establish penalties; Article V, Dogs, Section 4-97(5), by amending penalties for Dog at Large violations by increasing minimum fines; and declaring an emergency.

9. PUBLIC HEARING: GRANT-ALVERNON AREA PLAN AMENDMENT (PA-07-05); FORT LOWELL ROAD/SYCAMORE AVENUE ALIGNMENT – OFFICE AND HIGH-DENSITY RESIDENTIAL USES

- a. Report from City Manager NOV13-07-614 WARD 2
- b. Hearing on a request by Michael Grassinger of The Planning Center, on behalf of the property owner, Abraham Slilaty/Fort Lowell Park, LLC, to amend the *Grant-Alvernon Area Plan* to allow offices and high-density residential development in an area designated on the Conceptual Land Use Map for residential purposes only. Mr. Slilaty owns seven vacant, contiguous parcels that wrap around a small apartment complex on the south side of Fort Lowell Road, approximately 700 feet east of Alvernon. The parcels are zoned R-3 along the Fort Lowell Road frontage and MH-1 to the south. The applicant wants to rezone the site to develop an office complex, and first needs to amend the land use plan to allow office uses on the site.

At a public hearing on October 3, 2007, the Planning Commission voted unanimously (8-0) to recommend that the Mayor and Council amend the *Grant-Alvernon Area Plan* Conceptual Land Use Map to allow office and high-density residential uses on the amendment site.

Staff recommends that the Mayor and Council amend the *Grant-Alvernon Area Plan* Conceptual Land Use Map to allow office and high-density residential uses on the amendment site.

- c. Resolution No. 20819 relating to planning and zoning; amending the *Grant-Alvernon Area Plan*; and declaring an emergency.

10. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23) THE LAND USE CODE; ADDING AN ARTISAN RESIDENCE PROVISION

- a. Report from City Manager NOV13-07-615 CITY-WIDE
- b. Hearing on a proposed amendment to the Tucson Code, Chapter 23, the *Land Use Code (LUC)* to add the Artisan Residence provision to the commercial zones. The amendment is to Article II, Zones, Division 5, Commercial Zones, and Article IV, Definitions, Division 2, Listing of Words and Terms.
- c. Ordinance No. 10477 relating to planning and zoning; amending the Tucson Code Chapter 23, *Land Use Code*, Article II, Zones, Division 5, Commercial Zones, Sections 2.5.2.2, 2.5.3.2, 2.5.4.2 and 2.5.5.2 by adding Artisan Residence as a permitted land use in those commercial zones; amending Article III, Development Regulations, Division 5, Performance Criteria, Section 3.5.4 by adding a new Section 3.5.4.28; amending Article VI, Definitions, Division 3, Land Use Groups by adding a new Section 6.3.5.28, Artisan Residence; and declaring an emergency.

The Planning Commission voted unanimously to forward the amendments to the Mayor and Council with a recommendation to adopt the ordinance as presented.

Staff recommends that the Mayor and Council adopt the proposed *Land Use Code (LUC)* amendment that will allow an artisan residence in the NC, C-1, C-2 and C-3 zones.

11. ZONING: (C9-06-07) WYCOZONA – MARY ANN CLEVELAND WAY, RH TO R-1, ORDINANCE ADOPTION

- a. Report from City Manager NOV13-07-606 WARD 4
- b. Ordinance No. 10474 relating to zoning: amending zoning district boundaries in the area located on the west side of Pantano Wash North of Rancho Del Lago, approximately 600 feet east of Mary Ann Cleveland Way in Case C9-06-07, Wycozona – Mary Ann Cleveland Way, RH to R-1; and setting an effective date.

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

12. ELECTIONS: CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE CITY GENERAL AND SPECIAL ELECTIONS HELD NOVEMBER 6, 2007

- a. Report from City Manager NOV13-07-613 CITY-WIDE
- b. Resolution No. 20820 relating to elections; canvassing the returns and declaring the results of the General Election held in the City of Tucson, Arizona on November 6, 2007.
- c. Resolution No. 20822 relating to elections; canvassing the returns and declaring the results of the Special Election on Proposition 100 held in the City of Tucson, Arizona on November 6, 2007.
- d. Resolution No. 20821 relating to elections; canvassing the returns and declaring the results of the Special Election on Proposition 200 held in the City of Tucson, Arizona on November 6, 2007.

13. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager NOV13-07-612 CITY-WIDE

14. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, November 20, 2007, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.