



PLANNING COMMISSION

Wednesday, January 13, 2016, 6:00 P.M.

Mayor and Council Chambers

255 W. Alameda

Tucson, Arizona 85701

Legal Action Report

*** REVISED ***

1. Roll Call

Meeting was called to order by Chair Podolsky at **6:00 p.m.** Those present and absent were:

Present:

Killian Harwell	Member, Mayor
Rick Lavaty	Member, Ward 1
Quentin Bryson	Member, Ward 2
Shannon McBride-Olson	Member at Large, Ward 2
Curt Ench	Member at Large, Ward 3
Joe Yee	Member, Ward 4
William Podolsky, Chair	Member at Large, Ward 4
Peter Gavin, Vice Chair	Member at Large, Ward 5
Marc Fink	Member, Ward 6
Ladd Keith	Member at Large, Ward 6

Absent:

Kim Patten	Member at Large, Ward 1
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Staff Members Present:

Nicole Ewing-Gavin, Interim Director, Planning and Development Services
Piroschka Glinsky, Principal Assistant City Attorney, City Attorney's Office
Carolyn Laurie, Principal Planner, Planning and Development Services
John Beall, Principal Planner, Planning and Development Services
Alexandra Hines, Planner, Planning and Development Services
Monica Sierra, Secretary, City Clerk's Office

2. Approval of Minutes/Legal Action Report – December 2, 2015 Action

Commissioner Fink requested that the minutes reflect the Planning Commission's request for information and impact of the Houghton East Neighborhood Plan and medical marijuana zoning items.

- * It was moved by Commissioner Gavin, duly seconded by Commissioner Bryson, and carried by a voice vote of ~~9-1~~9-0, Commissioner Harwell ~~dissenting~~ requested to abstain due to not attending previous meeting (Commissioner Patten absent), to approve the December 2, 2015 Minutes.

3. Administrative Announcements **Information Only**

Jim Mazzocco, former Interim Director, introduced Nicole Ewing-Gavin, Interim Director, and Lynne Birkinbine, Interim Deputy Director.

Commissioner Gavin resigned.

4. Introduction of Commissioner Harwell **Information Only**

5. Election of Vice Chair **Action**

It was nominated and moved by Commissioner McBride-Olson, duly seconded by Commissioner Fink, and carried by a voice vote of 9-0 (Commissioner Patten absent), to elect Commissioner Keith as the Vice-Chair.

6. Roll Call

Those present and absent were:

Present:

Killian Harwell	Member, Mayor
Rick Lavaty	Member, Ward 1
Quentin Bryson	Member, Ward 2
Shannon McBride-Olson	Member at Large, Ward 2
Curt Ench	Member at Large, Ward 3
Joe Yee	Member, Ward 4
William Podolsky, Chair	Member at Large, Ward 4
Marc Fink	Member, Ward 6
Ladd Keith, Vice Chair	Member at Large, Ward 6

Absent:

Kim Patten	Member at Large, Ward 1
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7. Houghton East Neighborhood Plan Amendment **Public Hearing**

- * Commissioner Yee recused from the item discussion and vote due conflict of interest. Commissioner Harwell ~~dissenting~~ requested to abstain from the item discussion and vote due to not attending previous study session.

Presentation given by John Beall, Principal Planner, Planning and Development Services.

Presentation given by the applicant Linda Morales from The Planning Center.

Discussion held. No action taken.

Public Speaker(s):

David Robertson
Tracy Scheinkman
Catherine Gale
Mrs. Colber
Ashley Evans
Darla Sidles
Terry Sap

Linda Schaub
Daniel Porzio
George Larson
Bill Allen
Gayle Mulholland
Jeannie Nguyen
Ryan Vondrak

Sharon McCusker
R Roy Johnson
Matthew Nichols
David Blanchette
Roy Maynard
Vicki Senter Sheley
Carleen Carlson

RECESS: 8:45 p.m.

RECONVENE: 8:55 p.m.

- * **Board Members:** All present as were ~~at the beginning of the meeting~~ present from Item 6 Roll Call.

Staff: All present as were present from Item 6 Roll Call.

- * It was moved by Commissioner Keith, duly seconded by Commissioner Fink, and carried by a voice vote of ~~6-2~~ 6-1, Commissioner Lavaty voted nay and Commissioner Harwell ~~dissenting~~ requested to abstain due to not attending previous study session (Commissioner Patten absent and Commissioner Yee recused), to close the public hearing.

Discussion held.

- * It was moved by Commissioner Ench, duly seconded by Commissioner Fink, and carried by a voice vote of ~~5-3~~ 5-2, Commissioner Lavaty and McBride-Olson voted nay and Commissioner Harwell ~~dissenting~~ requested to abstain due to not attending previous study session (Commissioner Patten absent and Commissioner Yee recused), to forward a recommendation of approval of the Houghton East Neighborhood Plan amendment to Mayor and Council.

RECESS: 9:40 p.m.

RECONVENE: 9:50 p.m.

- * **Board Members:** All present as were ~~at the beginning of the meeting~~ present from Item 6 Roll Call.

Staff: All present as were present from Item 6 Roll Call.

8. Medical Marijuana Zoning Text Amendment

Public Hearing

Commissioner Harwell abstained from the item discussion and vote due to not attending previous study session.

Presentation given by Carolyn Laurie, Principal Planner, Planning and Development Services.

Discussion held. No action taken.

Public Speaker(s):

Les Pierce

Jean Paul Genet

Pamela Epstein

- * It was moved by Commissioner Lavaty, duly seconded by Commissioner Bryson, and carried by a voice vote of ~~8-1~~ 8-0, Commissioner Harwell ~~dissenting~~ requested to abstain due to not attending previous study session (Commissioner Patten absent), to close the public hearing.

Discussion held.

- * It was moved by Commissioner Fink, duly seconded by Commissioner Lavaty, and carried by a voice vote of ~~8-1~~ 8-0, Commissioner Harwell ~~dissenting~~ requested to abstain due to not attending previous study session (Commissioner Patten absent), to forward a recommendation of approval of the medical marijuana zoning text amendment to Mayor and Council.

9. Mayor and Council Update Information Only

Presentation given by Carolyn Laurie, Principal Planner, Planning and Development Services.

10. Future Agenda Items Information Only

Review of Rules of Procedure of the Planning Commission - Study Session
UDC Clean Up Part 5 - Study Session
Historic Landmark Text Amendment - Study Session

11. Call to the Audience

No one spoke at this time.

12. Adjournment

Meeting adjourned at **10:15 p.m.**