

# REGULAR AGENDA

TUESDAY, APRIL 17, 2018 –  
5:30 PM

MAYOR AND COUNCIL  
CHAMBERS

CITY HALL, 255 W.  
ALAMEDA, TUCSON, AZ

1. **ROLL CALL**
2. **INVOCATION, PLEDGE OF ALLEGIANCE, AND APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS**
  - a. INVOCATION - Pastor Otis F. Brown, Siloam Freewill Church
  - b. PLEDGE OF ALLEGIANCE - Casas Adobes American Legion Auxiliary Junior Girls Ashlyn Ware and Olivia Rice
  - c. PRESENTATIONS
    1. Recognition of the Pima Community College Men's Basketball Team
    2. Presentation of "Outstanding Teen Citizen Awards" from the Metropolitan Education Commission
    3. Proclaiming May 3 to be "National Day of Prayer"
    4. Proclaiming May 4 and May 5 to be "American Legion Auxiliary Memorial Poppy Days"
  - d. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS
    1. Report from City Manager APR17-18-127 CITY WIDE  
  
There are no appointments in the report at this time.
3. MAYOR AND COUNCIL/CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS
  - a. Report from City Manager APR17-18-118 CITY WIDE
4. BOARDS, COMMITTEES AND COMMISSIONS: REPORTS TO MAYOR AND COUNCIL

- a. Report from City Manager APR17-18-119 CITY WIDE

5. **LIQUOR LICENSE APPLICATIONS**

- a. Report from City Manager APR17-18-120 CITY WIDE

- b. Liquor License Application(s)

New License(s)

- 1. Hush Social Club, Ward 6  
1112 S. Wilmot Rd.  
Applicant: Shannon Orlando Roberts  
Series 14, City 10-18  
Action must be taken by: April 21, 2018

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

- 2. Native Grill and Wings, Ward 4  
10255 E. Old Vail Rd.  
Applicant: Amy S. Nations  
Series 12, City 13-18  
Action must be taken by: April 29, 2018

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

- 3. Bisbee Breakfast Club, Ward 2  
410 N. Wilmot Rd. #110  
Applicant: Kevin Arnold Kramber  
Series 12, City 15-18  
Action must be taken by: May 3, 2018

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)

- 4. The Monkey Bar, Ward 6  
1120 S. Wilmot Rd.  
Applicant: Kevin Arnold Kramber  
Series 6, City 11-18  
Action must be taken by: April 22, 2018

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

5. Cobra Arcade, Ward 6  
63 E. Congress St. #109  
Applicant: Andrea Dahlman Lewkowitz  
Series 6, City 14-18  
Action must be taken by: April 27, 2018

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

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)

Person/Location Transfer(s)

6. Hampton Inn Tucson North #161, Ward 1  
1375 W. Grant Rd.  
Applicant: Nicholas Carl Guttilla  
Series 6, City 12-18  
Action must be taken by: April 27, 2018

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

NOTE: State law provides that for a person and location transfer Mayor and Council may consider both the applicant's capability qualifications reliability and location issues. (A.R.S. Section 4-203; R19-1-102)

c. Special Event(s)

1. Zuzi Dance, Ward 6  
738 N. 5th Ave.  
Applicant: Scott H. Bird  
City T40-18  
Date of Event: May 12, 2018  
(Fundraiser)

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

2. Friends of Tucson's Birthplace, Ward 1  
946 W. Mission Lane  
Applicant: Katya Peterson  
City T42-18  
Date of Event: April 27, 2018 - April 28, 2018  
(Agave Festival)

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

3. Sonoran Art Foundation dba Sonoran Glass School, Ward 1  
633 W. 18th St.  
Applicant: Lynn Kathryn Davis  
City T43-18

Date of Event: April 28, 2018  
(Retirement party for Tom Philabaum)

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

4. Native Seeds/Southwest Endangered Aridlands Resources Clearing House, Ward 6  
146 E. Broadway Blvd.  
Applicant: John Steven Wilder  
City T44-18  
Date of Event: April 27, 2018  
(Fundraiser)

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

5. Our Lady of Lavang Parish, Ward 5  
800 S. Tucson Blvd.  
Applicant: Van Hieu Nguyen  
City T45-18  
Date of Event: April 20, 2018 - April 22, 2018  
(Crawfish Festival)

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

6. Tucson Kitchen Musicians Association, Ward 1  
255 W. Alameda St.  
Applicant: Claud Blackburn  
City T46-18  
Date of Event: May 5, 2018 - May 6, 2018  
(Annual Tucson Folk Festival)

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

7. Knights of Columbus #5133, Ward 2  
1800 S. Kolb Rd.  
Applicant: William Roy Markley  
City T47-18  
Date of Event: May 4, 2018  
(Cinco de Mayo)

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

8. Real Change International Group Inc., Ward 5  
1000 E. 22nd St.  
Applicant: Louanna Faine  
City T48-18  
Date of Event: April 28, 2018  
(Fundraiser)

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

9. Ben's Bells Project, Ward 6  
40 W. Broadway Blvd.  
Applicant: Helen Charlie Horman  
City T49-18  
Date of Event: May 4, 2018  
(Fundraiser)

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

10. Combat Veterans Motorcycle Association 32-2, Ward 5  
4823 S. 6th Ave.  
Applicant: Jason Eugene Red  
City T50-18  
Date of Event: May 11, 2018 - May 13, 2018  
(Veteran & Charity Fundraiser)

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

11. The Desert Laboratory on Tumamoc, College of Science, UA, Ward 1  
1675 W. Anklam Rd.  
Applicant: Benjamin T. Wilder  
City T51-18  
Date of Event: May 2, 2018  
(Tucson Agave Heritage Festival VIP Reception)

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

12. CMB Foundation, Ward 1  
2106 N. Forbes Blvd. #103  
Applicant: Georgine Betancourt  
City T52-18  
Date of Event: April 21, 2018  
(Fundraiser)

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

13. AZMAC-Arizona Media Arts Center, Ward 6  
127 E. Congress St.  
Applicant: Claudia Jespersen  
City T53-18  
Date of Event: April 20, 2018 - April 29, 2018  
(Arizona International Film Festival)

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

14. Rillito Park Foundation, Ward 3  
4502 N. 1st Ave.  
Applicant: Paul Bear  
City T54-18  
Date of Event: May 5, 2018  
(Fundraiser)

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

15. India Society of Southern Arizona, Ward 2  
3231 N. Craycroft Rd.  
Applicant: Seema Jha  
City T55-18  
Date of Event: April 21, 2018  
(Fundraiser)

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

d. Agent Change/Acquisition of Control/Restructure

NOTE: There are no application(s) for 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 within the jurisdiction of the Mayor and Council, except for items scheduled for a public hearing at the meeting. Speakers are limited to three minute presentations. Speakers must state their name, 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**

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.

a. APPROVAL OF MINUTES

1. Report from City Manager APR17-18-123 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of October 24, 2017

- b. FINAL PLAT: (S17-032) BERMUDA MINOR SUBDIVISION, LOTS 1 THROUGH 3
  - 1. Report from City Manager APR17-18-121 WARD 3
  - 2. Staff recommends that the Mayor and Council approve the plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- c. FINAL PLAT: (S17-072) CHICANOS POR LA CAUSA IRVINGTON EXPANSION, LOTS 1 THROUGH 2
  - 1. Report from City Manager APR17-18-122 WARD 5
  - 2. Staff recommends that the Mayor and Council approve the plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- d. TUCSON CODE: AMENDING (CHAPTER 10) MODIFICATIONS TO THE ANNUAL COMPENSATION PLAN FOR FISCAL YEAR 2018 AND AMENDING ORDINANCE 11464
  - 1. Report from City Manager APR17-18-128 CITY WIDE  
  
The material for this item will be distributed as soon as it becomes available.

**8. PUBLIC HEARING: RIVER HOUSE ANNEXATION DISTRICT**

- a. Report from City Manager APR17-18-124 WARD 2 AND OUTSIDE CITY
- b. Hearing: on the proposed annexation district located west of Craycroft, north of the Rillito River. Encompassing approximately 90.48 acres, it is composed of nine residential properties, a church, Pima County Flood Control land used for the Loop, and several acres of vacant land.  
  
The City Manager recommends that the Mayor and Council direct City staff to continue with the River House Annexation District.

**9. PUBLIC HEARING: ZONING (C9-18-01) PARTNERS ON FOURTH PAD – 4<sup>TH</sup> AVENUE AND 8<sup>TH</sup> STREET, I-1 AND C-3 TO PAD-33, CITY MANAGER'S REPORT, ORDINANCE ADOPTION**

- a. Report from City Manager APR17-18-125 WARD 6
- b. Report from Zoning Examiner dated March 22, 2018
- c. Hearing: on a request by Thomas W. Warne, on behalf of the property owner, Partners on Fourth Investments, LLC, to rezone approximately 1.68 acres from I-1 and C-3 to Planned Area Development (PAD) zoning. The rezoning site is located in proximity to the southwest corner of

4<sup>th</sup> Avenue and 8th Street within the National Register Warehouse Historic District and the Infill Incentive District, Downtown Links Subdistrict; Warehouse Triangle Area and 4<sup>th</sup> Avenue Sub-Area. The proposed project includes market rate multi-story housing as well as commercial uses, with building heights ranging from 30 feet adjacent to the 4th Avenue street frontage, to 160 feet on the west half of the PAD.

Land use policy direction for this area is provided by *Plan Tucson* and the *University Area Plan*.

The Zoning Examiner and staff recommend approval of PAD zoning and adoption of the ordinance.

Three written approvals and five written protests were received for this case prior to the Zoning Examiner's March 1, 2018 public hearing. At the Continued Public Hearing on March 8, 2018 there was an additional written protest and a new revised letter from the Iron Horse Neighborhood Association requesting additional onsite parking. Since the March 8, 2018 Zoning Examiner public hearing there have been three additional written protests. Five of the protests lie within the 150 foot protest area resulting in a protest by total lots of 22.7%, and protests by area of 14.7%.

The protests generally allude to concern for a large scale development, changing the character of 4<sup>th</sup> Avenue, lack of parking for the area, traffic congestion, and an increase in rent costs. The applicant indicates that those concerns have been addressed in revisions to the PAD document during the rezoning process.

- d. Ordinance No. 11540 relating to Zoning: amending zoning district boundaries in the area located in proximity to the southwest corner of 4<sup>th</sup> Avenue and 8<sup>th</sup> Street in case C9-18-01, Partners on Fourth - Planned Area Development (PAD-33), I-1 and C-3 to PAD-33; and setting an effective date.

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

**10. ZONING: (C9-18-03) TUCSON ELECTRIC POWER PLANNED AREA DEVELOPMENT – IRVINGTON CAMPUS, I-1 AND I-2 TO PAD 34, CITY MANAGER'S REPORT, ORDINANCE ADOPTION**

- a. Report from City Manager APR17-18-126 WARD 5
- b. Request to rezone the 345-acre TEP Irvington Road Campus from I-1 and I-2 zoning to a Planned Area Development. The PAD provides TEP with the land use regulations and development standards to accommodate the evolution to a cleaner, more sustainable power supply and establishes a consistent development review process for projects at the TEP Campus.

Land use policy direction for this area is provided by the *Rincon Southeast Subregional Plan* and *Plan Tucson*.



The Zoning Examiner and Staff recommend approval of PAD zoning and adoption of the ordinance.

One written approval and one written protest have been received for this case. The protest lies outside the 150-foot protest area. No reason was given for the protest.

- c. Ordinance No. 11541 relating to Zoning: amending zoning district boundaries in the area located on the southeast corner of Alvernon Way and Irvington Road in case C9-18-03, Tucson Electric Power, Irvington Road I-1 and I-2 to PAD 34; and setting an effective date.

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

## **11. ADJOURNMENT**

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, May 8, 2018, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.