



MAYOR AND COUNCIL REGULAR MEETING NOTICE & AGENDA

The City of Tucson has a council-manager form of government. Policies are set by the Mayor and Council, who are elected by the people. Policies are carried out by the City Manager, who is appointed by the Mayor and Council. The Mayor and Council decides what is to be done; the City Manager, operating through the entire City staff, does it.

REGULAR COUNCIL MEETINGS

The Mayor and Council usually meet the first four Tuesdays of each month in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.

- Invocation and Pledge of Allegiance
- Presentations
- Summary of Current Events
- Liquor license applications
- Consent Agenda

- Call to the Audience. Individuals may speak up to three minutes. Call to the Audience will be limited to thirty minutes. Speakers may address any matter except items noticed as a Public Hearing.
- Public Hearings. Individuals may speak up to five minutes. Each public hearing is limited to one hour.
- Other Mayor and Council business as listed on the agenda for the meeting.

Copies of the agenda are available during the meeting. Additionally, the agenda, as well as reference documents, are available in the City Clerk's office prior to each meeting and on the City's web site. : www.tucsonaz.gov/agdocs

Ordinances and resolutions (the laws of Tucson) are considered during regular meetings. Those adopted with the emergency clause and the affirmative vote of five members of the Council take effect immediately. Those adopted without the emergency clause take effect thirty days after passage. Unless the Mayor or a member of the Council requests that an ordinance or resolution be read in full, it is read by number and title only. Routine items are scheduled under the heading of Consent Agenda, which allows a number of actions to occur with a single motion.

To better serve everyone in the community, the Mayor and Council chambers is wheelchair accessible. An assistive listening system for the hearing impaired is in place and closed captioning is available on cable television. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office at least two working days prior to the meeting and can be made by calling 791-4213 or 791-2639 (TDD).

PARTICIPATION BY THE PUBLIC

As a courtesy to others, please turn off or put in vibrate mode all pagers and cell phones.

To address the Mayor and Council:

- Complete a speaker's card and deposit it in the tray on the podium. Upon being recognized, state your name and address before proceeding.
- Submit written comments to the Mayor and Council (via the City Clerk) prior to and during the meeting.
- Call the Mayor and Council Citizen Comment Line at 791-4700 or write the City's Web Site, www.tucsonaz.gov/agdocs. Your comments will be transcribed and distributed to the Mayor and Council.

Persons attending the meeting shall observe rules of propriety, decorum, and good conduct, and refrain from impertinent or slanderous remarks. Violation of this rule shall result in such persons being barred from further audience before the governing body. A copy of the complete rules and regulations may be obtained from the City Clerk.

Robert E. Walkup – Mayor
Kathleen Dunbar – Vice Mayor

Council Members

José J. Ibarra	Ward 1	Shirley C. Scott	Ward 4
Carol W. West	Ward 2	Steve Leal	Ward 5
Kathleen Dunbar	Ward 3	Fred Ronstadt	Ward 6

Revisions to the agenda can occur up to 24 hours prior to the meeting. Contact the City Clerk at 791-4213 (TDD: 791-2639), FAX: 791-4017 or WEB SITE: www.tucsonaz.gov/agdocs, 9th floor, City Hall, 255 W. Alameda for up-to-date information Monday through Friday, 8:00 a.m. to 5:00 p.m. [holidays excepted]. Live coverage of the meeting is cablecast on Tucson 12. In addition, replays of the meetings are cablecast on Tucson 12 as follows:
 Wednesdays – 9:00 p.m. Thursdays – 9:00 a.m. Sundays – 9:00 a.m.
 VHS tapes of meetings are available at the Tucson Main Library, 101 N. Stone.



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 MEETING

**TUESDAY, SEPTEMBER 13, 2005 – 3:00 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Jim Corley, Crosspoint Community Church

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS

- a. Presentation of an award from the Institute of Transportation Engineers
- b. Presentation by Council Member Scott regarding the Ward 4 Back to School Bash

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager SEPT13-05-492 CITY-WIDE

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

- a. Report from City Manager SEPT13-05-493 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager SEPT13-05-494 CITY-WIDE

b. Liquor License Applications

New License

1. Pizza Hut Wing Street #46, Ward 4
8140 S. Houghton Road, Suite 180
Applicant: Walter Brent Kyte
Series 12, City 67-05
Action must be taken by: September 23, 2005

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

2. S & K Market, Ward 3
2520 N. 15th Avenue
Applicant: Chankiry Chhang
Series 10, City 68-05
Action must be taken by: September 24, 2005

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

3. Central, Ward 6
400 N. Toole Avenue
Applicant: Mark Schiele Economou
Series 12, City 69-05
Action must be taken by: September 24, 2005

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

4. Panizza Italian Bistro, Ward 6
944 E. University Blvd.
Applicant: Lloyd Leath Rabb, III
Series 12, City 70-05
Action must be taken by: October 7, 2005

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/Person Transfer

5. Parrilla Del Rey, Ward 5

5358 S. Nogales Hwy.
Applicant: Rogelio Montes Linares
Series 06, City 71-05
Action must be taken by: October 7, 2005

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

PUBLIC OPINION: PROTEST FILED

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)

c. Special Event

1. Optimist Clubs of Tucson, Ward 6
900 S. Randolph Way
Applicant: Esther Marie Hillman
City T67-05
Date of Event: September 29, 30 & October 1, 2, 2005
Oktoberfest Fundraiser

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

2. Escaramuza Flor De Primavera, Ward 5
4823 S. 6th Avenue
Applicant: Maria Lourdes Celaya
City T68-05
Date of Event: October 22, 2005
Entertainment & Educate Mexican Culture

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

3. Mano Amiga, Ward 5
4823 S. 6th Avenue
Applicant: Jesusita Moreno
City T70-05
Date of Event: September 24, 2005
Concert

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

4. Tucson Firefighters' Association Local 479, Ward 1
160 W. Alameda Street
Applicant: Gerry R. Bowlin

City T72-05
Date of Event: November 4, 2005
Fundraiser for Adopt-A-Family

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

5. It's Happening Downtown Inc., Ward 6
26-56 E. Congress Street
Applicant: Barbara A. Zelano
City T73-05
Date of Event: September 24, 2005
Community Cultural Event

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

6. St. Elizabeth Ann Seton R.C. Church, Ward 3
4502 N. 1st Avenue
Applicant: Janet Francis McLay
City T74-05
Date of Event: October 20, 21, 22, 23, 2005
Fundraiser

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

7. Foundation for Pima Animal Care/National Heritage Foundation, Ward 1
288 N. Church Avenue
Applicant: Mary Ann Purnell
City T75-05
Date of Event: October 17, 2005
Fundraiser/Awards

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

8. Artsake Foundation, Ward 6
Congress St. between Aviation & 6th Avenue;
5th Avenue between Broadway Blvd. & Toole
Applicant: Jeb Bley Schoonover
City T76-05
Date of Event: October 8, 2005
Fundraiser

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

6. CONSENT AGENDA – ITEMS A THROUGH I

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.

7. 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".

8. ZONING: (C9-05-12) RB PRICE – HERMAN’S ROAD, SH/C-2 TO R-1, CITY MANAGER’S REPORT

- a. Report from City Manager SEPT13-05-496 WARD 4
- b. Report from Zoning Examiner dated August 26, 2005
- c. Request to rezone approximately 26.5 acres from SH and C-2 (Low-density Large Lot Residential/General Commercial) to R-1 (Urban Low-density Residential) zoning. Applicant: Linda Morales of the Planning Center, on behalf of the property owners, West Kolb LLC.

The rezoning site is located north of the alignment of Herman’s Road and south of I-10. The applicant proposes to construct 126, two-story single-family residences on 26.5 acres for a density of 4.8 residences per acre.

Planning Considerations: The *Rincon-Southeast Subregional Plan* and the *General Plan* provide land use policy direction for this area. The *Design Guidelines Manual* provides solutions and strategies to improve the level of community designs. The *Rincon-Southeast Subregional Plan* designates the rezoning site as a Multifunctional Corridor that allows for the integrated development of complimentary uses along major transportation corridors.

The Zoning Examiner recommends approval of the R-1 zoning. The City Manager recommends approval of the R-1 zoning subject to the following conditions:

1. A subdivision plat in substantial compliance with the preliminary development plan dated May 31, 2005, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 4.1.1. of the *Land Use Code*.
2. The owner/developer shall design and construct Hermans Road improvements to the easternmost entrance to the proposed development. The improvements shall consist of two 12-foot wide traffic lanes, a bike lane, curb and six-foot wide sidewalk.
3. There shall be no access to the I-10 frontage road.
4. A Category I Traffic Impact Analysis shall be submitted and approved prior to tentative plat approval.
5. The owner/developer shall construct a 20-foot tall sound attenuation wall along the I-10 frontage road. Alternatively, a noise study may be conducted to assess noise levels associated with I-10 and determine mitigation measures. Noise level above 64 decibels shall require mitigation to lower the noise level to below 64 decibels. An engineer knowledgeable with sound mitigation shall prepare the study.
6. A six-foot high screen wall shall be provided along the west property line along with a 10-foot wide landscape strip including at least one canopy tree for each 25 lineal feet of property boundary.
7. The masonry portion of walls along lots that abut amenity areas such as designated open space areas; common areas and detention areas shall not exceed four feet, eight inches (4'-8") in height except for pillars and/or wrought iron or other similar open fencing material. Total height shall not exceed six feet.
8. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
9. Four (4) inch fence block shall not be used for perimeter walls.

10. Amenities within parks/common areas/detention basins shall include benches and/or picnic tables, barbecues, playground equipment, or similar equipment that can be used by all the residents of the development.
11. Canopy trees shall be planted as close to the sidewalk as is possible and on every other lot within the subdivision.
12. All drainage channels shall be designed to allow for the reintroduction of native plant species. The design shall incorporate earthen banks, include native seeds and a minimum of one 15-gallon native tree for each 50 lineal feet of channel. The seed mix shall include a mixture of trees, shrubs and groundcover plantings indigenous to the area.
13. A wide range of shade trees shall be provided in all passive/active recreation areas to enhance and increase their use.
14. A detailed landscape plan shall be provided at the time of CDRC review of the tentative plat.
15. The residential units shall feature a variety of rooflines, colors, hues, materials, and textures that are compatible with each other and with existing residential units in close proximity. Project colors shall be consistent with the City of Tucson Sonoran Desert Colors handout prepared by the Department of Urban Planning and Design. Conditions, Covenants, and Restrictions (CC&R's) addressing the above design standards, either graphic or written, shall be provided with the CDRC subdivision plat submittal.
16. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and/or associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
17. All outdoor pole and building lighting shall be full cut-off lighting - directed down and away from residential parcels and public roadways.
18. "Safe by Design" concepts shall be incorporated in the subdivision plat for review by the Tucson Police Department.

19. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
20. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.
21. Preparation of a complete Drainage Report, including details of detention/retention, is required.
22. Each detention/retention basin shall include a sediment trap, or other sediment control measures as approved by the City Engineer, to prevent sedimentation of the detention/retention basin. Each sediment trap, or other sediment control measure, shall have a provision for total drainage.
23. Detention/retention basin floors shall be graded to drain either toward the outlet structure or other logical point. Basin floors shall not be flat.
24. Detention/retention basins in or adjacent to the residential area shall be located adjacent to a street or accessible common area. Basin sideslopes in the adjacent area(s) shall be designed and constructed in accordance with the requirements of the Detention/Retention Manual for human activity zones.
25. Rectangular basin shapes shall be avoided unless necessitated by recreational or visual amenities within the basin.
26. Vegetation shall be used as screening and/or security barrier for a minimum of ten percent of the basin perimeter.

9. ZONING: (C9-05-11) SHULTE – SPEEDWAY BOULEVARD SR TO O-3, CITY MANAGER’S REPORT

- a. Report from City Manager SEPT13-05-497 WARD 2
- b. Report from Zoning Examiner dated August 26, 2005
- c. Request to rezone approximately 2.79 acres from SR (Very Low-density Residential) to O-3 (Mid-rise Office) zoning. Applicant: Phil Swaim Associates Architects, on behalf of the property owners, Shulte Investment Company.

The rezoning site is located on the south side of Speedway Boulevard, east of the Pantano Wash. The applicant proposes to construct two buildings, a 20 foot tall one-story building, and a 40 foot tall two-story building that, combined, will provide a total of 26,000 square feet of medical and administrative office space.

Planning Considerations: The *Pantano East Area Plan* and the *General Plan* provide land use policy direction for this area. The *Design Guidelines Manual* provides design solutions for design-related policies in the *Plans*. The *Pantano East Area Plan* supports office uses at this location if the adjacent uses are adequately buffered. The landscape plan indicates significant landscaping along the Speedway Boulevard street frontage and landscaping along the linear park on the west and south sides of the site. The *General Plan* supports mixed-use commercial and office uses along arterial streets such as Speedway Boulevard. The *Plan* further encourages the use of pedestrian facilities and preservation of scenic views of natural features. Side and rear façades should be designed with attention to architectural character and detail comparable to the front façades. Where building heights will exceed 20 feet varied and visually appealing roof-lines are appropriate.

The Zoning Examiner recommends approval of the O-3 zoning. The City Manger recommends approval of the O-3 zoning subject to the following conditions:

1. A development plan in substantial compliance with the preliminary development plan dated May 27, 2005, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8. of the *Land Use Code*.
2. A Category I Traffic Impact Analysis (TIA) shall be submitted and approved prior to development plan approval.
3. A maximum of two access points are permitted from Speedway Boulevard. These access points shall meet the minimum spacing requirements.
4. The eastern-most access point shall be “right-turn-in, right-turn-out” only. The owner shall build a raised median diverter in the access point.
5. Buildings shall be designed with “five-sided” architecture. Buildings shall be articulated to reduce their visual mass. All building facades shall be designed with consistent architectural character and design treatment. Exterior surfaces shall be constructed of or painted with desert earth-tone colors.
6. All exterior mechanical equipment shall be screened from view from adjacent development and street frontages, and it shall be architecturally integrated into the overall design of the development.
7. Free-standing signs shall be designed to promote ease of use of the development and be aesthetically pleasing. They are to be an appropriate scale, material and color so that they are consistent with and integrated into the overall site design. Details of free-standing signs shall be submitted as part of the Development Plan.

8. New development shall complement the surrounding development. Compatibility is to be demonstrated for elements including but not limited to architectural design, rooflines, materials, colors, landscaping, screen walls, lighting and signs.
9. Internally lighted signs shall not face toward adjacent residential lots.
10. Dimensioned, colored elevation drawings, and color photographs of surrounding development shall be submitted for review with the development plan.
11. The owner/developer of the property shall provide a corridor for the entire length of the property's frontage along the Pantano Wash for the purpose of river park corridor dedication and development. The corridor shall be a minimum of 50 feet in width, measured from the top of the bank of the Pantano Wash.
12. The owner/developer shall construct a segment of the Pantano River Park according to City/County River Park specifications for the length of the property's frontage along the Pantano Wash. The river park shall include the following:
 - a. 12-ft. wide paved path adjacent to railing at the top of the bank of the Pantano Wash. Paved path specifications are 2" of asphalt with thickened edges over 4" compacted ABC.
 - b. 8-ft. wide meandering soft surface path. Soft surface path specifications are 2" of stabilized decomposed granite (1/4" minus) compacted to 95% over native subgrade compacted to 95%.
 - c. Minimum 6-ft. wide landscape buffer between paved path and soft surface path.
 - d. Landscape buffer between the soft surface path and the east side of the river park corridor.
 - e. Canopy shade trees planted every 20 to 30 feet and averaging not less than one every 25 feet.
 - f. Automated irrigation system including dedicated water meter for the river park.
 - g. Path connecting the river park and the sidewalk on Speedway.
 - h. Path connecting the river park and the subject development parking area.

- i. Minimum of 3 signed parking spaces designated “River Park parking.” These can be used as part of the required parking calculation for the subject development and they may extend into the river park – partially or fully - inclusive of automobile front overhangs and pedestrian access sidewalks. Parking spaces inclusive of automobile overhangs may not extend closer than 50 ft to the top of the Pantano Wash bank.
 - j. Pedestrian seating area for a minimum of 6 people within the river park corridor near Speedway.
13. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
14. Four (4) inch fence block shall not be used for perimeter walls.
15. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and/or associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
16. All outdoor pole and building lighting shall be full cut-off lighting - directed down and away from residential parcels and public roadways. Details of any pole lighting shall be submitted as part of the Development Plan.
17. “Safe by Design” concepts shall be incorporated in the subdivision plat for review by the Tucson Police Department.
18. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
19. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.
20. Online detention/retention basins shall not be permitted if any portion of the wash is in a natural state upstream of the basin.

10. ZONING: C9-04-23 UMC NORTH PAD – CAMPBELL AVENUE R-2/O-3 TO PAD-11

- a. Report from City Manager SEPT13-05-505 WARD 3
- b. Ordinance No. 10197 relating to zoning: amending zoning district boundaries in the area located on the east side of Campbell Avenue north and south of Allen Road in Case C9-04-23, UMC North Pad - Campbell Avenue, R-2 and O-3 to PAD-11; and setting an effective date.

11. ZONING: (C9-05-10) ORACLE/INA LLC – VALENCIA ROAD, C-1 TO C-1/C-2, CITY MANAGER’S REPORT

- a. Report from City Manager SEPT13-05-504 WARD 1
- b. Report from Zoning Examiner dated July 29, 2005
- c. Request to rezone approximately 14 acres from C-1 to C-1 and C-2 zoning. Applicant: Jim Portner of Projects International, Inc., on behalf of the property owner, Leon Marx of North Oracle/Ina, LLC.

The rezoning site is located on the southwest corner of Valencia Road and Headley Road. The applicant proposes a shopping center consisting of retail automotive uses across the Valencia Road frontage of the site, with neighborhood retail/commercial uses to the rear. The development will consist of 10 one-story structures for a total of 97,500 square feet of retail automotive and other commercial uses.

Planning Considerations: The *Tucson Mountain Subregional Plan* and the *General Plan* provide land use policy direction for this area. The *Design Guidelines Manual* provides design-related solutions to design policies in the *Plans*. Policies in the *Tucson Mountain Subregional Plan* Natural and Cultural Resources policies address wildlife habitat, the regional trail system, river parks and archaeological and historic preservation. The *Design Guidelines Manual* provides recommendations for pedestrian connections, four-sided architecture and the placement of trees throughout the development. The applicant’s proposal complies with the policies in the *Tucson Mountain Subregional Plan* and the *General Plan*.

The Zoning Examiner recommends approval of the C-1 and C-2 zoning. The City Manger recommends approval of the C-1 and C-2 zoning subject to the following conditions:

1. A development plan in substantial compliance with the preliminary development plan dated April 29, 2005, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8 of the *Land Use Code*.

2. The owner/developer shall dedicate additional right-of-way on Headley Road to total a width of 60 feet to allow construction of the required and future roadway improvements.
3. The owner/developer shall dedicate a 30-foot radius spandrel at the southwest corner of Headley Road and Valencia Road.
4. The owner/developer shall dedicate sufficient additional right-of-way, if necessary, to accommodate a bus bay/pullout at the existing bus stop located on the southwest corner of Valencia Road and Headley Road.
5. The owner/developer shall contribute a fair share portion not to exceed 20 percent of the cost of a future traffic signal installed at the intersection of Valencia and Headley Roads.
6. The owner/developer shall design and construct an additional eastbound traffic lane with appropriate approach and departure transitions that will function as a continuous right turn/deceleration lane, a six-foot bike lane, curb and six-foot wide sidewalks along the site frontage of Valencia Road.
7. The owner/developer shall construct a separate bus bay/pullout, including curb, sidewalk and bus shelter pad at the southwest corner of Valencia Road and Headley Road. The owner/developer shall coordinate the location of the pullout with the City of Tucson Department of Transportation.
8. The owner/developer shall design and construct additional paving, curb and four-foot wide sidewalk along the site frontage of Headley Road.
9. A Category III TIA shall be submitted and approved as part of the Development Plan approval process.
10. There shall be a maximum of three access points to the subject parcel from Valencia Road.
11. The owner/developer shall dedicate a corridor along the West Branch of the Santa Cruz River Diversion Channel for the West Branch Santa Cruz River Linear Park.
12. The corridor shall run for the length of the subject parcel's frontage on the diversion channel.
13. The corridor shall be a minimum of 30 feet in width as measured east from the top of the bank protection.

14. The owner/developer shall landscape the corridor and construct a 12-foot wide paved path for the length of the corridor. The City of Tucson and Pima County Parks and Recreation Departments shall approve the design of the linear park.
15. All buildings on the site shall be limited to one story.
16. Loudspeakers or other communications systems shall be located a minimum of one hundred (100) feet away from adjacent residential uses or zones.
17. All unsightly and noise-generating elements shall be located a minimum of fifty (50) feet away from adjacent residential property. These elements shall be screened using masonry walls and landscaping to mitigate potential visual, odor, and noise impacts. These include service lanes (drive-through), loading zones, trash containers, and compactors.
18. Building façades at rear and side are to be designed with attention to architectural character and detail comparable to the front facade, with consistent design treatment, including but not limited to, comparable color palette, signs, lighting, screen walls, rooflines, and materials.
19. All exterior mechanical equipment shall be screened from view of adjacent development and street frontages, and shall be architecturally integrated into the overall design of buildings and development.
20. All outdoor lighting shall be full cutoff and directed down and shielded away from adjacent residential parcels and public roadways.
21. A five-foot wide paved pedestrian connection shall be provided between the rezoning site and the property to the south, including a gate in the screen wall on the south property boundary. The pedestrian connection shall connect with a five-foot wide meandering path running the length of the south property line. The meandering path shall be located within the 40 foot wide buffer on the south side of the rezoning site.
22. The owner/developer shall execute an acceptable Airport Disclosure Statement to acknowledge that the property lies in proximity to Tucson International Airport and that the property is subject to aircraft overflight and noise that may be annoying or objectionable to some persons.
23. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one or more visually appealing design treatments, such as the use of two or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.

24. Four-inch fence block shall not be used for perimeter walls.
25. Any waters discharged from the site into the adjacent roadway rights-of-way shall first be discharged into onsite water harvesting areas prior to flowing into the rights-of-way.
26. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and/or associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
27. “Safe by Design” concepts shall be incorporated in the subdivision plat for review by the Tucson Police Department.
28. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
29. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager SEPT13-05-495 CITY-WIDE

13. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, September 20, 2005, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.