



# MEMORANDUM

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DATE: January 29, 2014

TO: Linus Kafka  
Zoning Examiner

FROM: Carolyn Laurie  
Lead Planner

SUBJECT: C9-13-12 CODAC – Fort Lowell

Please find attached the following items:

1. Cypress Memo concerning January 16, 2014 recap.
2. Neighborhood Communication Plan.

30 January 2014

Mr. Linus Kafka  
CITY OF TUCSON  
Zoning Examiner  
201 N. Stone Avenue  
Tucson, Arizona 85701

**RE: Codac Cobblestone Court - C9-13-12  
Zoning Examiner Hearing Protesting Concerns Recap – Hearing Date 16 January 2014**

Dear Mr. Kafka:

We respectfully request your consideration of the attached items related to the CODAC Cobblestone Court rezoning case C9-13-12. The following meeting summary focuses primarily on the concerns stated from three (3) protesting parties present at the Zoning Examiner Hearing for CODAC Cobblestone Court, case C9-13-12 on January 16<sup>th</sup>, 2014. The protesting parties were represented in person by Mr. Steve Kaplan, Ms. Olivia Ure and Mr. Mike Carlson. Below we have attempted to document their concerns and provide our responses to said concerns. Should it be discovered that we have overlooked a concern stated at the Zoning Examiner Hearing we reserve the right to provide a documented response to any overlooked concerns upon discovery at a later date.

Sincerely,  
**Cypress Civil Development**



Jeff Hunt, Principal  
Principal  
520.261.7440  
[jphunt@cypresscivil.com](mailto:jphunt@cypresscivil.com)

CC: Carolyn Laurie, City of Tucson Lead Planner  
Keri Silvyn, Lazarus, Silvyn and Bangs PC  
Dennis Regnier, CODAC Behavioral Health Services

**Mr. Steve Kaplan – Represents properties west of subject rezone Parcel**

***CONCERN 1 – HOURS OF OPERATION CHANGED BETWEEN PRELIMINARY REZONING CONDITIONS AND REVISED REZONING CONDITIONS PRESENTED BY CITY OF TUCSON STAFF***

The objective of this change was to maximize flexibility in the future for CODAC members and operations. Currently CODAC operates between the hours of 8 AM and 5 PM and does not have immediate plans to change current operating hours. CODAC has seen a surge in the number of patients that would be able to take advantage of individual meeting sessions after 5 PM due to work commitments. CODAC offered reduced weekend hours in the updated rezoning conditions presented by City of Tucson Staff. **CODAC has offered to put a statement in the Neighborhood Communication Plan that all group activities will have to be out of the CODAC building by 8 PM during the week and only individual visits or sessions will be allowed from 8 PM to 9 PM during the week. This will be done in an effort to cut down on potential disruptions caused by large groups in the evening hours.**

***CONCERN 2 – OFFICER HARDESTY MEMORIAL IS TO STAY AND NOT BE DISRUPTED DURING CONSTRUCTION OF THE NEW COBBLESTONE COURT SITE***

CODAC assured Mr. Kaplan that they have no intent of disturbing the Officer Hardesty Memorial as it is outside of the subject rezone Parcel.

***CONCERN 3 – LIGHT POLLUTION FROM THE NEW PARKING LOT SPILLING INTO THE WINDOWS OF THE ADJACENT NEIGHBORING RESIDENCES***

The new site lighting will be designed per City of Tucson Outdoor Lighting Code and therefore, will be limited to the amount of light pollution allowed to exit the site boundary. CODAC will have to provide a site lighting photometric to ensure compliance with the City of Tucson Outdoor Lighting Code. This photometric will be provided as a part of the Development Plan Package to be reviewed in conjunction with the rezoning conditions for compliance.

***CONCERN 4 – 600 TRIPS PER DAY TO A SITE WITH LIMITED PARKING SPACES SEEMS EXTREME FOR THE USE OF THE SITE***

The project will be comparable to other medical uses under the City of Tucson Land Use Code. Actual AM and PM peak trips will fall under 100 and can be accommodated entirely by the parking provided on-site. The trips to the medical office will also be spread out throughout the day, lessening the impact of a peak travel time during the day, as is typical with medical office uses. It is also worth noting that the 600 trips per day cannot be compared to no use at all and it should be assumed that an alternative use, ie General Office Use, could anticipate nearly 250 trips per day however, with roughly the same AM and PM peak hour trips for either use.

***CONCERN 5 – DRAINAGE OPENINGS IN THE NEW PARKING LOT WALL ALLOWING DRAINAGE ONTO THE ADJACENT PROPERTY TO THE WEST***

Per City of Tucson Drainage and Floodplain Management Code, CODAC has an obligation to match the existing drainage patterns when developing the subject rezone Parcel. The result is a need to outlet stormwater runoff onto the adjacent properties to the west, as in the existing condition. In addition,

CODAC also has an obligation to not increase the amount of stormwater being concentrated at any location.

*CONCERN 6 – WANTS TO HAVE ANY PORTIONS OF THE EXISTING CHAINLINK FENCE CONSTRUCTED AROUND RESIDENTIAL PROPERTY THAT WILL BE REMOVED TO BE RETURNED*

CODAC assured Mr. Kaplan that they would return any portions of the impacted chain-link fence to its rightful owner.

*CONCERN 7 – WOULD LIKE TO HAVE ASSURANCE THAT SECURITY FENCE WILL BE INSTALLED AROUND CONSTRUCTION SITE DURING DEVELOPMENT*

CODAC stated that a security fence around the construction site is not only safe, it is common practice. CODAC assured Mr. Kaplan that a security fence would be installed during construction.

*CONCERN 8 – WOULD LIKE TO ENSURE THAT FUTURE PERIMETER FENCE IS NOT SEE THROUGH*

CODAC pointed out that the rezoning conditions require that the perimeter screen wall be constructed of continuous, 6" wide masonry block. Due to this rezoning condition, the perimeter screen wall will not be see through.

**Ms. Olivia Ure – Represents property directly north of subject rezone Parcel**

*CONCERN 1 – HOURS OF OPERATION CHANGED BETWEEN PRELIMINARY REZONING CONDITIONS AND REVISED REZONING CONDITIONS PRESENTED BY CITY OF TUCSON STAFF*

(This concern resolution was stated to address concerns of both Mr. Kaplan and Ms. Ure)  
The objective of this change was to maximize flexibility in the future for CODAC members and operations. Currently CODAC operates between the hours of 8 AM and 5 PM and does not have immediate plans to change current operating hours. CODAC has seen a surge in the number of patients that would be able to take advantage of individual meeting sessions after 5 PM due to work commitments. CODAC offered reduced weekend hours in the updated rezoning conditions presented by City of Tucson Staff. **CODAC has offered to put a statement in the Neighborhood Communication Plan that all group activities will have to be out of the CODAC building by 8 PM during the week and only individual visits or sessions will be allowed from 8 PM to 9 PM during the week. This will be done in an effort to cut down on potential disruptions caused by large groups in the evening hours.**

*CONCERN 2 – 600 TRIPS PER DAY TO A SITE WITH LIMITED PARKING SPACES SEEMS EXTREME FOR THE USE OF THE SITE*

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The project will be comparable to other medical uses under the City of Tucson Land Use Code. Actual AM and PM peak trips will fall under 100 and can be accommodated entirely by the parking provided on-site. The trips to the medical office will also be spread out throughout the day, lessening the impact of a perk travel time during the day, as is typical with medical office uses. It is also worth noting that the 600 trips per day cannot be compared to no use at all and it should be assumed that

an alternative use, ie General Office Use, could anticipate nearly 250 trips per day however, with roughly the same AM and PM peak hour trips for either use.

**Mr. Mike Carlson – Represents property directly south of subject rezone Parcel (across Fort Lowell)**

***CONCERN 1 – BUS STOP CONCERNS NOT ADDRESSED DURING REZONING PROCESS***

It was acknowledged that Mr. Carlson provided CODAC a letter stating concerns he had with the neighborhood, specifically a bus stop in close proximity to his business. Mr. Carlson was reminded that when he provided that letter at the October 3<sup>rd</sup> Neighborhood Meeting, he was told at that time that this rezoning case was not the appropriate place to address the bus stop location due to CODAC's inability to make any changes. He was told at that time that the Ward III Office would be the first place to start that process and that Jeff Hunt of Cypress Civil Development would assist him in any way possible should he want to set up a meeting with the Ward III Office.

***CONCERN 2 – HE WOULD LIKE TO HAVE A CONTRACT WRITTEN UP BY CODAC STATING THAT THEY WOULD NOT RELOCATE METHADONE TREATMENT TO THE NEW COBBLESTONE COURT LOCATION NOW, OR AT ANY TIME IN THE FUTURE.***

Mr. Carlson was told that the Neighborhood Communications Plan was the appropriate place to address this issue since the Hedrick Acres and Mountain View Neighborhoods are not legal entities that can enter into an agreement with CODAC. As a result, CODAC also made it clear that the Zoning Examiner had the flexibility to add a methadone use restriction as a rezoning condition.

## Neighborhood Communications Plan

Prevention and treatment programs for mental health, substance use disorders and trauma are critically needed within the Tucson Region. With 44 years of experience, CODAC is a proven provider of these services. As a community-based not-for-profit 501(c)(3) organization, it is also critically important that CODAC maintain ongoing and open communications with neighbors and Neighborhood Associations (“NA”) surrounding our physical facilities. The Mountain View Neighborhood Association (Chair: Bill Crouse) and Hedrick Acres Neighborhood Association (Chair: Robert Sheinhaus and Linda Drew) are adjacent to our facility located at 1025 E. Ft. Lowell (the “Property”).

This document serves to assist CODAC and the adjacent NAs in maintaining an open line of communication. Many meetings took place between CODAC and the NAs related to the CODAC Cobblestone Court rezoning case. The other purpose of this document is to commit to certain use restrictions and security measures in response to concerns voiced by the adjacent NAs. CODAC will work with the NAs to maintain a current list of day and after-hours contacts for the ongoing communication and commitments outlined below:

### 1. Communication.

- a. The NA and adjacent neighbors have the ability to contact CODAC with any issues or concerns related to the CODAC Property and use as follows:
  - During regular business hours: Kristine Welter Hall, Vice President of Marketing & Development. Office: (520) 202-1746 Cell: (520) 260-2771.
  - After regular business hours: Safety Zone After-Hours Line (520) 202-1950. Calls made to this line will be routed to the appropriate contact depending on the area of concern.

The individuals and positions as detailed above may change over time. CODAC will provide the NAs listed below updated information when appropriate.

- b. CODAC will attend NA Annual Meeting as requested by the referenced NAs to provide updated information on the Property, the business or answer any questions. CODAC will also attend other NA meetings as requested. The NA agrees to give CODAC sufficient notice of the meetings to ensure the correct personnel are available to answer questions or give information. In addition, CODAC is committed to attending meetings held at the City of Tucson Ward III Office at the request of the Ward III Councilperson to provide insight regarding issues either directly or indirectly related to CODAC, its members or its operations.

2. Meeting Space. At the newly renovated Cobblestone Court location, CODAC will offer the NAs meeting space on the Property for their regular and annual meetings, subject to availability and any restrictions on hours of operation. This meeting space is to be constructed as a part of the new Cobblestone Court building renovation and will be made available following the completion of Project construction.

3. Security.

- a. CODAC will continue to contract with an independent security company to proceed with random checks on the Property throughout business hours and after hours. For after-hours security, CODAC will provide six visits per night for the Property.
- b. CODAC will agree to operate four security cameras – one at each corner of the building – pointing at the parking lot and operational after business hours.
- c. There will not be any entrances/exits into the neighborhood on the north, east or west sides of the property.
- d. An alarm system will be installed and the Property will be armed outside of business hours.

4. Neighborhood Cleanups. CODAC is committed to assisting in the organizing of up to one neighborhood cleanup effort per calendar year for the Mountain View Neighborhood that the Cobblestone Court building is located within.

5. Education and Outreach. CODAC is available to provide training and education sessions pertaining to behavioral health and assisting those with particular mental or behavioral health needs. CODAC will continue to encourage neighbors to attend those education sessions, free of cost, with verification of residency within the Mountain View or Hedrick Acres Neighborhoods. These trainings can assist neighbors in being prepared to assist individuals who may have behavioral health needs, whether they be CODAC members or otherwise.