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APR 12 2007



**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM                      Planning & Development - CC Memo No. 07-070**

**DATE:**            MARCH 22, 2007

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            W. MARK PENTZ, CITY MANAGER   
                         DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR   
                         JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR   
                         BOB WEWORSKI, PLANNING MANAGER 

**FROM:**            ERIK SWANSON, CITY PLANNER 

**SUBJECT:**        UP06-0084 ELDERCARE – SANTA ANNA

**Request:**        Use Permit approval to operate an assisted living home for 7 residents within an existing residential home

**Location:**       921 N. Santa Anna Place  
                         South of the SWC of Ray and Dobson Roads

**Applicant:**      Ariel Carlos, Owner/Administrator

**RECOMMENDATION**

Upon finding consistency with the General Plan and Planned Area Development (PAD), Planning Commission and Staff recommend approval with conditions.

**BACKGROUND**

The subject site is located at the southwest corner of Ray and Dobson Roads within the Capriana single-family residential neighborhood. The subject site is surrounded by single-family residential homes to the north, west, and south. The house is located near the end of a cul-de-sac, and backs-up to Dobson Road.

Assisted living homes are required to obtain a use permit when there are more than five residents living together in a single dwelling unit. The applicant has been operating this location for the past year, assisting only five residents, thus not requiring a use permit until now. The maximum potential amount of residents allowed with a use permit is 10, excluding servants. Additionally, the amount of residents allowed is based upon requirements provided by the State Health

Department. The State Health Department requires that a single user bedroom shall be 80 sq. ft., two residents may share a room if the room is 120 sq. ft. or more, and three residents may share a bedroom if there is 180 sq. ft. or more. On no occasion can a bedroom exceed more than three residents. The rooms for this application conform to these requirements.

The subject site is proposing a maximum of seven residents due to room size restrictions. This would allow for the applicant to hire a live-in caregiver, and accommodate an additional resident. The assisted living home at this location has been licensed for approximately seven years by the State Health Department. The assisted living home has operated without need for a use permit do to there only being five residents.

On average there are weekly visitors for approximately 15-30 minutes per visitation. The residents do not drive, and thus require no parking. Parking is provided in the garage and on the driveway if necessary. Residents can use dial-a-ride on an as needed basis, but no one is on a regular schedule for its use. Occasionally family members take the residents to run errands and to go shopping.

On average there are approximately one to two emergency calls per year since most residents sign a do-not-resuscitate (DNR) form. In addition, as residents require more attention for specific needs a hospice agency will often get involved.

#### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- Notices were mailed to all property owners within a six-hundred (600') foot radius and all Registered Neighborhood Organizations (RNO's) within one ¼ mile.
- A legal notice was advertised in the newspaper.
- An 11" by 17" public hearing sign was installed on the property.
- A neighborhood meeting was held on Tuesday February 20, 2007 at the Downtown Community Center. No neighbors were in attendance.

As of the writing of this memo, Staff has received two phone calls regarding the request. Both phone calls were requesting general information.

#### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve: In Favor: 4 Opposed: 0 Absent: 3 (Gulsvig, Anderson, Creedon)

Planning Commission had general questions regarding the operation of the assisted living home and the experience of the current owner/manager. Staff stated that the current owner/manager has been operating the existing facility for the past year without need for a use permit, and has prior experience as a caregiver and Certified Nursing Assistant (CNA).

#### **RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of the Use Permit subject to the following conditions:

1. The assisted living home shall have no more than seven (7) residents at any time.

2. Should the applicant sell the property, this Use Permit to operate an assisted living home shall be null and void.
3. This Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to an approval by the City of Chandler.

**PROPOSED MOTION**

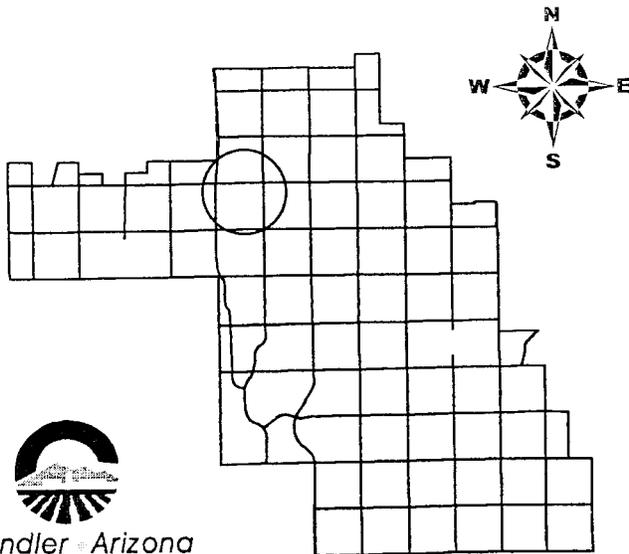
Move to approve UP06-0084 ELDERCARE – SANTA ANNA, use permit for an assisted living home, subject to the conditions recommended by Planning Commission and Staff.

**Attachments:**

1. Vicinity Map
2. Site Plan/Floor Plan
3. Applicant Narrative



## Vicinity Map



UP06-0084

Eldercare- Santa Anna



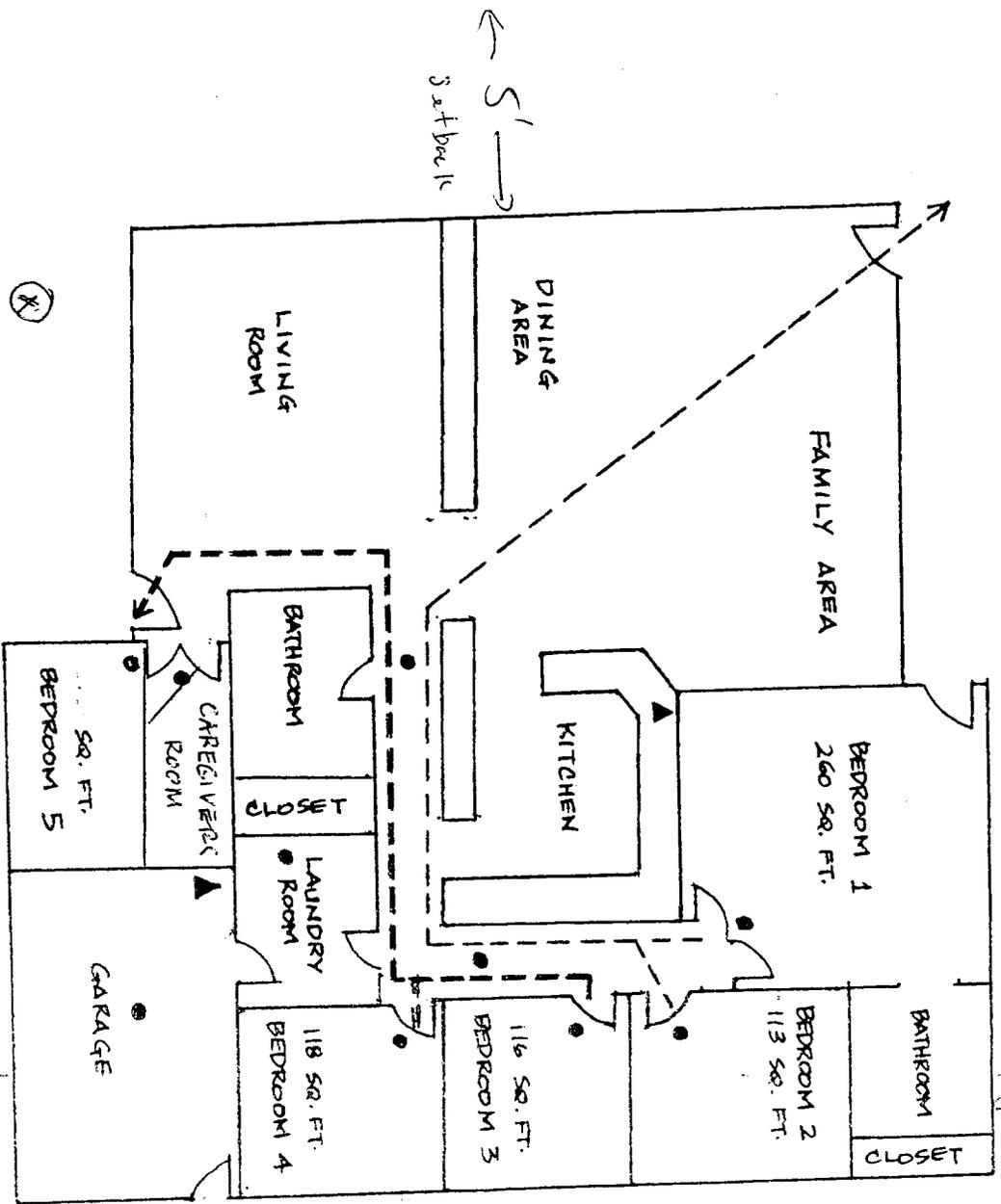
Chandler Arizona  
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CITY OF CHANDLER 11/16/2006

SITE  
FIRE EVACUATION PLAN

Rear

39  
setback



ELDERCARE  
921 N. SANTA ANNA PLACE  
CHANDLER, AZ. 85224

- PRIMARY EXIT — — — — —
- SECONDARY EXIT - - - - -
- SMOKE DETECTOR ●
- FIRE EXTINGUISHER ▲
- OUTSIDE MEETING PLACE ⊗

921 N. SANTA ANNA PLACE  
CHANDLER, AZ 85224

Front

← S' →  
setback

setback

setback

November 8, 2006

RE: NARRATIVE for Use Permit Application for ELDERCARE at Santa Anna

City of Chandler Planning & Zoning:

I presently have an assisted living home at 921 N. Santa Anna. We are licensed for 5 by the AZ Department of Health Services. However, a city ordinance in Chandler allows for only a maximum of 5 non-related residents to live in the home. Thus, I am limited to hiring live-out caregivers working in shifts in order to care for 5 residents or take less residents to accommodate live-in caregivers. I am requesting a certificate of occupancy that would allow for a maximum of 8 people to live in the facility. I feel the house is large enough to accommodate the requested number of people. That would allow me to hire live-in help which would benefit me financially and the residents in terms of the quality of care they would receive.

Our care home is pretty quiet. There are no late night noises or lots of cars parked in the driveway since most of our residents are elderly who sleep in early and no longer drive. I do not think that we would affect the neighborhood in a negative way whatsoever.

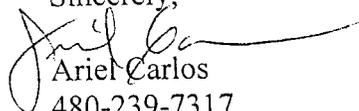
We are in compliance with the AZ Dept. of Health Services. Our manager and caregivers have taken CPR and First Aid and our manager is certified with Board of Nursing and Administration. Employees and residents have a tb test or chest x-ray. All employees have a fingerprint clearance card and the required certificates showing they have completed the minimal requirements to become a certified caregiver.

This is a large single family residence and the residents in this facility do not drive and have no vehicles. Thus there is always ample parking available in the garage or on the driveway for any visitors. Most residents average receiving visitors on a weekly basis. Most visits are usually 15-30 minutes long. Dial a ride may be used on an as needed basis but no one is on a regular schedule for its use.

Most of the activities for the residents are confined indoors. Once in a while a family member may take one of the residents out for lunch or shopping etc... I have been operating this facility as Owner/Administrator for one year. I have worked as a CNA and as a caregiver in other assisted living facilities in the past.

Based on past experience I would estimate that in a home licensed for five there may be only a maximum of 1 or 2 emergency calls in a year since most residents sign a DNR (do not resuscitate) form. Also, when a resident becomes terminally ill or a little harder to manage we often get a hospice agency involved and they facilitate with the meds and the care so that there will be no need for emergency calls. This home has been licensed for about 7 years. Again, the purpose of our Use permit application is to increase our capacity to 8 so that we can accommodate for the residents and live-in caregivers.

Sincerely,



Ariel Carlos

480-239-7317

2296 E. Libra Pl.

Chandler, AZ 85249