

Add Info #45

MAY 10 2007

Fax

Date: May 7, 2007

To: Erik Swanson

Fax # 480-782-3075

From: Maria T.

Re: Assisted Living Center, 1151 S. Sean Drive, Chandler, 85248

Per our conversation, my family has concerns regarding the increase of adult occupancy for the above-referenced center. We are closely located to this address and fear that the quiet and peace of the neighborhood may be greatly impacted. Market values, tentative as they are, would most likely drop from the close proximity of this business. Full disclosure when selling a home is required and this center may actually discourage any potential buyers. An increased number of assisted adults, if given the proper care, can result in a marked increase in traffic and parking needs, especially if the owners are residing there. *Each* assisted adult may have the need for the following services on a continuous basis:

- Medical supplies delivery (wheel chairs, beds etc.)
- Medical prescription delivery
- Nursing visits
- Doctor visits
- Personal care visits (bathing)
- Non-emergency transportation services (for hospital tests, treatments...)
- Emergency Ambulance and Fire (they both arrive for medical when calling 911)
- Visits from various religious organizations
- Visits from social workers
- Visits from *various* hospice groups
- Therapy, often for more than one condition, i.e. speech, occupational, physical..., and visits more than once a week
- Personal family visits.
- Health inspections.

Although most of those listed will schedule their visits during the day, this type of home-care business is 24 hours, seven days a week, with a potential for emergency services at *any* time.

(continued on second page)

According to Health Services, Adam Hawler at 602-364-2536, this center has a state license for up to 5 assisted persons. There is a maximum of two occupants per bedroom, with a minimum of 120 square feet for a two-person bedroom. There are two bathrooms, a master and a small main, which meet the requirements of one bathroom per eight people.

Private, assisted home-care is becoming more popular and is extremely lucrative. It does not require a high level of health care education since those services often come with the adult in need of care. It is *not* a highly regulated area despite the inspection process.

We are not opposed to the private home-care facility under its current licensed capacity. We are opposed to exceeding the five person maximum based on the above. This is a single-family residential subdivision, not a multi-unit complex that should expect and can support a higher level of traffic flow and parking accommodations on a 24 hour basis.

Please also consider that the majority of homeowners in this subdivision have young children that often play near or in the street. The excess traffic, especially of emergency vehicles negotiating these curving streets, creates a greater risk to the children and pedestrians alike.

We respectfully ask that the City Council members seriously consider all aspects and ramifications of the request for increased occupancy for this business. We hope that their foresight will avoid setting a precedence that can, and may ultimately affect every subdivision in Chandler.

Respectfully,



Maria T.

# 45  
MAY 10 2007



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

**MEMORANDUM**

**Planning & Development - CC Memo No. 07-101**

**DATE:** APRIL 20, 2007

**TO:** MAYOR AND CITY COUNCIL

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

**FROM:** ERIK SWANSON, CITY PLANNER

**SUBJECT:** UP06-0063 HELEN'S ASSISTED LIVING HOME

**Request:** Use Permit approval to operate an assisted living home for up to 10 residents within an existing residential home

**Location:** 1151 S. Sean Drive  
Approximately ¼ mile southwest of the southwest corner of Pecos and Alma School Roads

**Applicant:** Helen Gutierrez  
Owner/Administrator

**RECOMMENDATION**

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

**BACKGROUND**

The subject site is located approximately ¼ mile southwest of the southwest corner of Pecos and Alma School Roads, within the Pecos Ranch single-family subdivision. The site is surrounded by single-family residential homes. The home is located on a corner lot.

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

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 applicant has operated this facility as the owner/administrator for the past year. The applicant operates one other assisted living facility in the City of Chandler that is licensed for 5 residents. In addition, the applicant has worked as a Licensed Practical Nurse (LPN), and as a caregiver at other assisted living facilities.

### **DISCUSSION**

At the neighborhood meeting three residents from the neighborhood expressed concerns regarding the number of assisted living homes within the neighborhood, and there being an over-abundance. The City of Chandler prohibits assisted living homes that are licensed for 6-10 residents being located closer than a 1,200-foot radius from another facility licensed for 6-10. The Zoning Code does not regulate against the number of assisted living homes that are licensed for five or fewer residents. There is one additional assisted living home approximately 1,200 feet from this location. The home does not require a use permit. Even with their concerns, the neighbors were in support of the request.

### **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 Wednesday March 28, 2007 at the Downtown Community Center. Three neighbors were in attendance.

Staff has received two calls from neighbors. One caller had general questions. The second caller called after the Planning and Zoning Commission hearing and is opposed to the additional residents. The neighbor was concerned about parking.

### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve: \_\_\_\_\_ In Favor: 6    Opposed: 0    Absent: 1 (Anderson)

Planning Commission had some concerns regarding the number of residents allowed with the use permit and the amount of restrooms provided. Planning Commission stipulated that the number of residents be limited to eight. The applicants agreed to the condition.

### **RECOMMENDED ACTION**

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

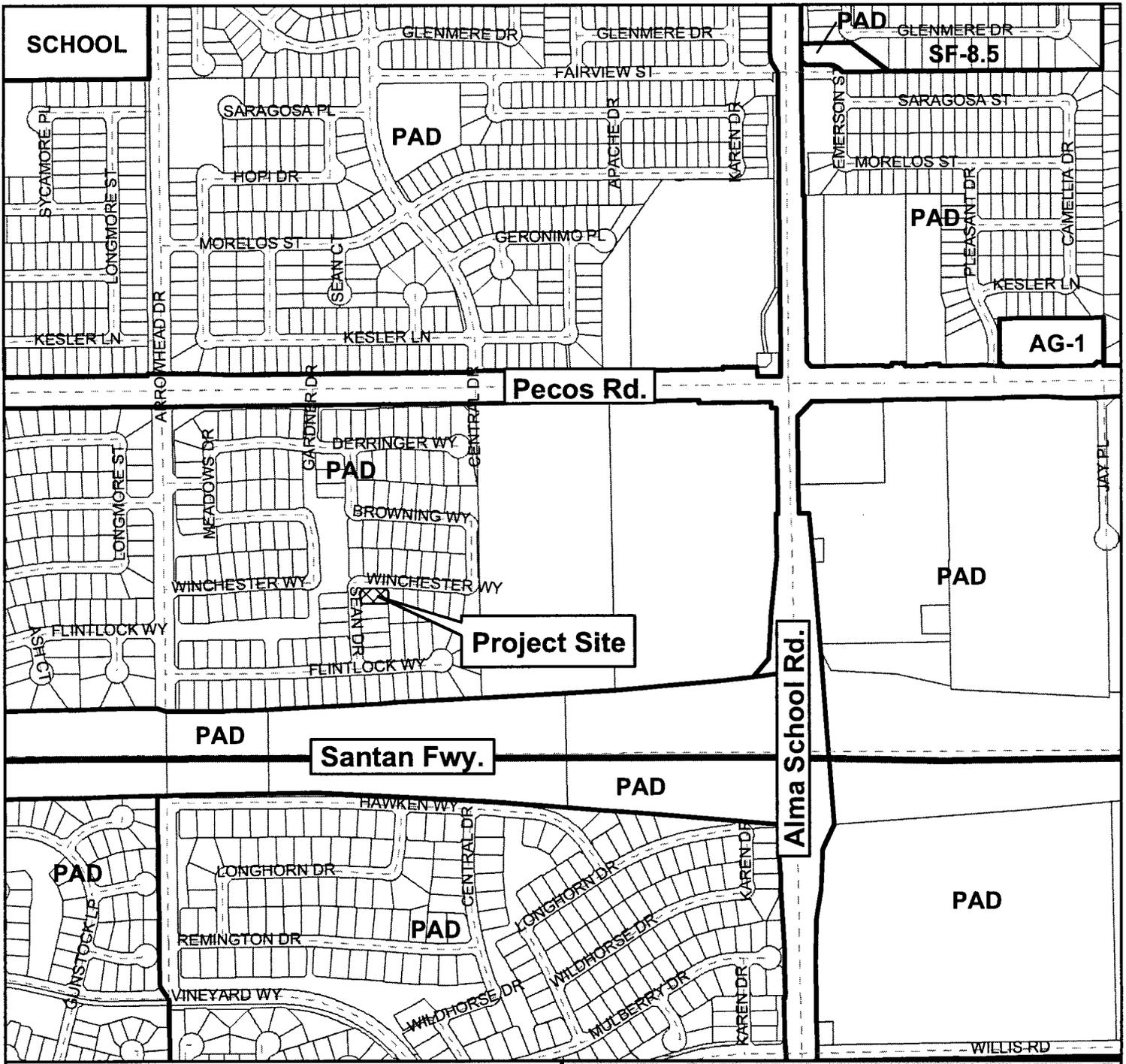
1. The assisted living home shall have no more than eight (8) residents at any time.
2. Should the applicant sell the property, this Use Permit to operate an assisted living home shall be null and void.
3. This Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to an approval by the City of Chandler.

**PROPOSED MOTION**

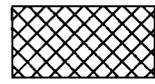
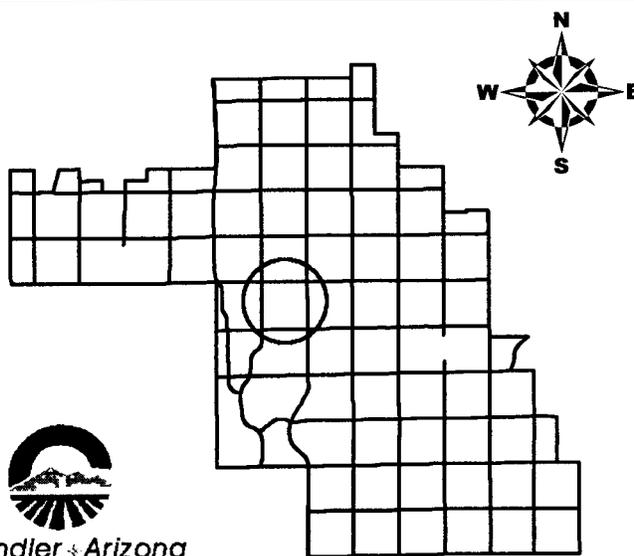
Move to approve UP06-0063 HELEN'S ASSISTED LIVING HOME, Use Permit to operate an assisted living home, subject to the conditions recommended by Planning Commission and Staff.

**Attachments:**

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



## Vicinity Map



UP06-0063

Helen's Assisted Living Home

SCHOOL

PAD GLENMERE DR  
SF-8.5

PAD

PAD

AG-1

Pecos Rd.

Project Site

PAD

Santan Fwy.

PAD

PAD

PAD

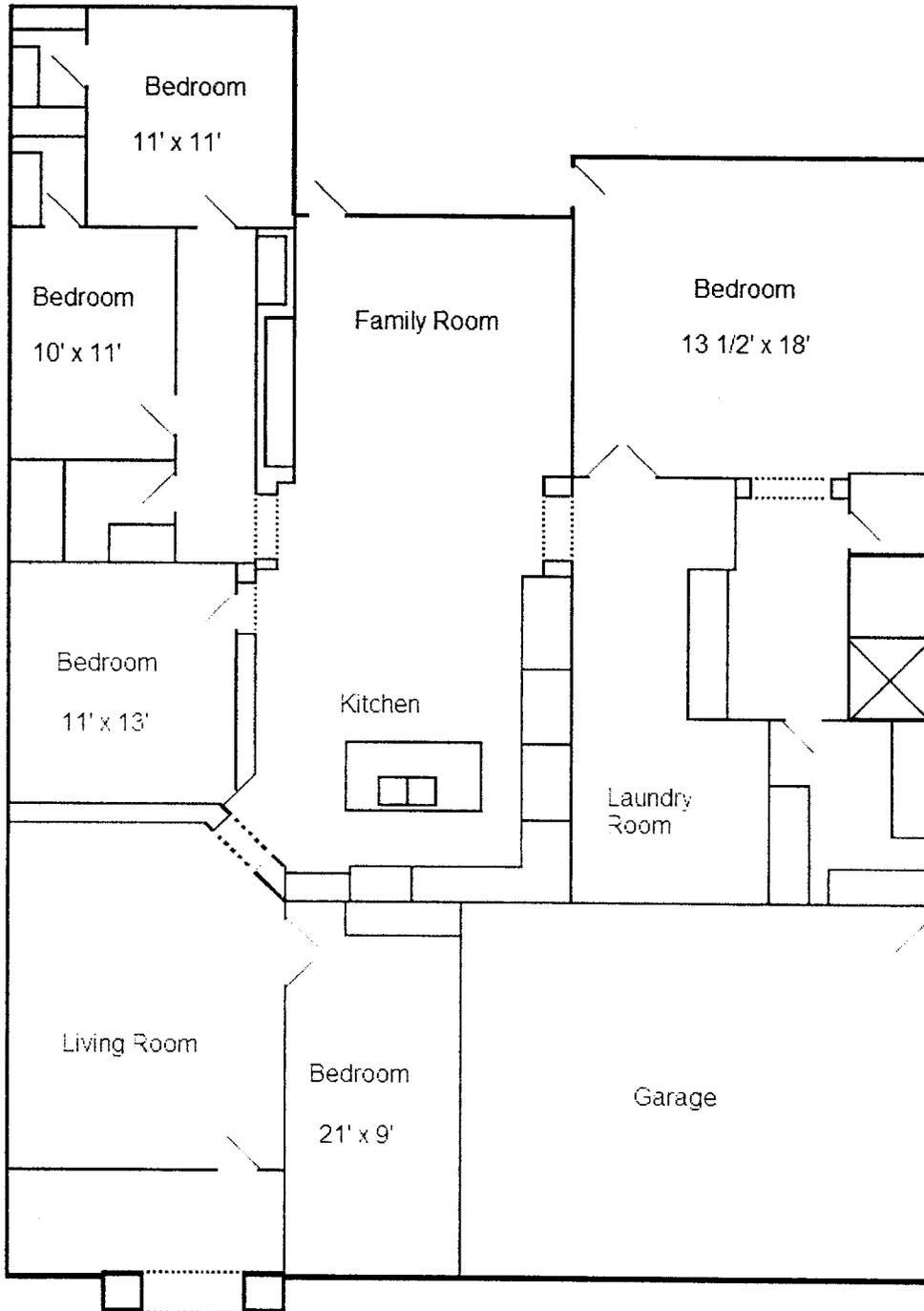
PAD

Alma School Rd.



# *Helen's Assisted Living Home*

1151 S. Sean Dr. Chandler, AZ 85248  
Tel. No. (480)857-8410 Fax No. (480)857-7015



Helen's Assisted Living Home  
1151 S. Sean Dr., Chandler, AZ 85248  
(480) 857-8410

November 9, 2006

RE: UP06-0063 HELEN'S ASSISTED LIVING HOME

City of Chandler Planning & Zoning:

I would like to request the Use Permit to be for 2 years with a possibility for renewal. I am already licensed for 5 with the AZ Dept. of Health Services. I have taken CPR and First Aid and I also have a Manager's certificate with the Board of Nursing and Administration. All employees that I have hired and will hire in the future are required to have CPR, First Aid, Tb test or chest x-ray, a fingerprint clearance card and 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 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 LPN 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. Most residents sign the 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.

I have enclosed a copy of the site plan. We are in compliance with all the safety requirements as per the Department of Health Services. The purpose of our Use permit application is to increase our capacity to 7 or 8 so that we can accommodate live-in caregivers.

Sincerely,

Helen Gutierrez