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FEB 26 2009



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MEMORANDUM

Planning & Development - CC Memo No. 09-019

DATE: FEBRUARY 9, 2009

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
JEFF KURTZ, ACTING PLANNING & DEVELOPMENT DIRECTOR
BOB WEWORSKI, PLANNING MANAGER

FROM: ERIK SWANSON, CITY PLANNER

SUBJECT: UP08-0060 LEISURE LIVING FOR THE ELDERLY

Request: Use Permit extension approval to operate an Assisted Living Home for up to eight residents within an existing single-family home

Location: 507 N. Nantucket Court
North and east of the northeast corner of Chandler Boulevard and McQueen Road

Applicant: Nhor Latinovich, Owner/operator

RECOMMENDATION

The request is for Use Permit extension approval to operate an Assisted Living Home for up to eight residents within an existing single-family home. Upon finding the request to be consistent with the General Plan and Planned Area Development (PAD) zoning, Planning Commission and Staff recommend approval with conditions.

BACKGROUND

The subject site is located north and east of the northeast corner of Chandler Boulevard and McQueen Road, within the Tradition single-family subdivision. The home is located within a cul-de-sac, and is surrounded by single-family homes. The subject site received Use Permit approval to operate an assisted living home for up to eight residents. The Use Permit was approved with a one-year timing condition. The applicant is requesting an extension of the Use Permit for an additional three years.

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 an

Assisted Living Home at this location for the past six years, only requiring a Use Permit this previous year. The maximum potential amount of residents allowed with a use permit is 10, excluding staff, however the applicant is only requesting up to eight residents. 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., and two residents may share a room if the room is 120 sq. ft. or more. On no occasion can a bedroom exceed more than two residents. The rooms for this application conform to these requirements.

The home is approximately 2,285 square feet, and provides five bedrooms, and three bathrooms. The applicant has operated this facility as the owner/administrator for the past five years, and operated another facility prior to this facility. In addition, the applicant is a Certified Manager and Program Trainer for caregivers licensed by the Department of Health Services, and licensed by the Board of Examiners of Nursing Care Institution Administrators, and Assisted Living Facility Managers.

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- An 11" by 17" public hearing sign was installed on the property.
- A neighborhood meeting was held on Monday January 5, 2009 at the Downtown Community Center. No neighbors attended.

To date, Staff has received one phone call from a resident. The resident previously opposed the request with the prior Use Permit, but since the approval of the previous Use Permit now supports the request. Staff has received no letters or phone calls in opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 5 Opposed: 0 Absent: 2 (Irby, Rivers)

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan, and PAD zoning, recommend approval of the UP08-0060 LEISURE LIVING FOR THE ELDERLY, 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 three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.

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PROPOSED MOTION

Move to approve UP08-0060 LEISURE LIVING FOR THE ELDERLY, 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

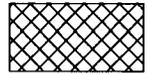
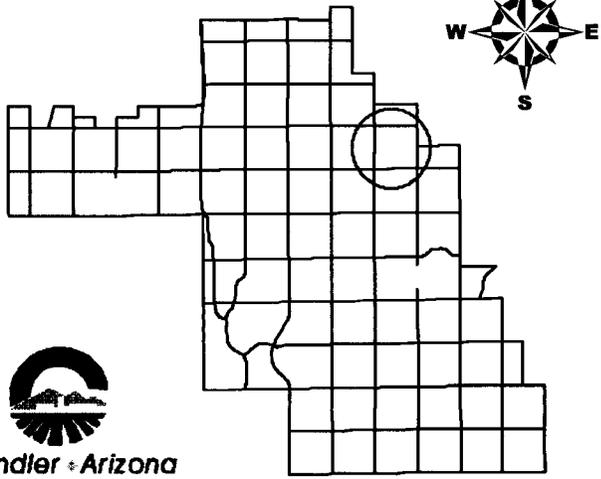


Project Site

McQueen Rd.

Chandler Blvd.

Vicinity Map

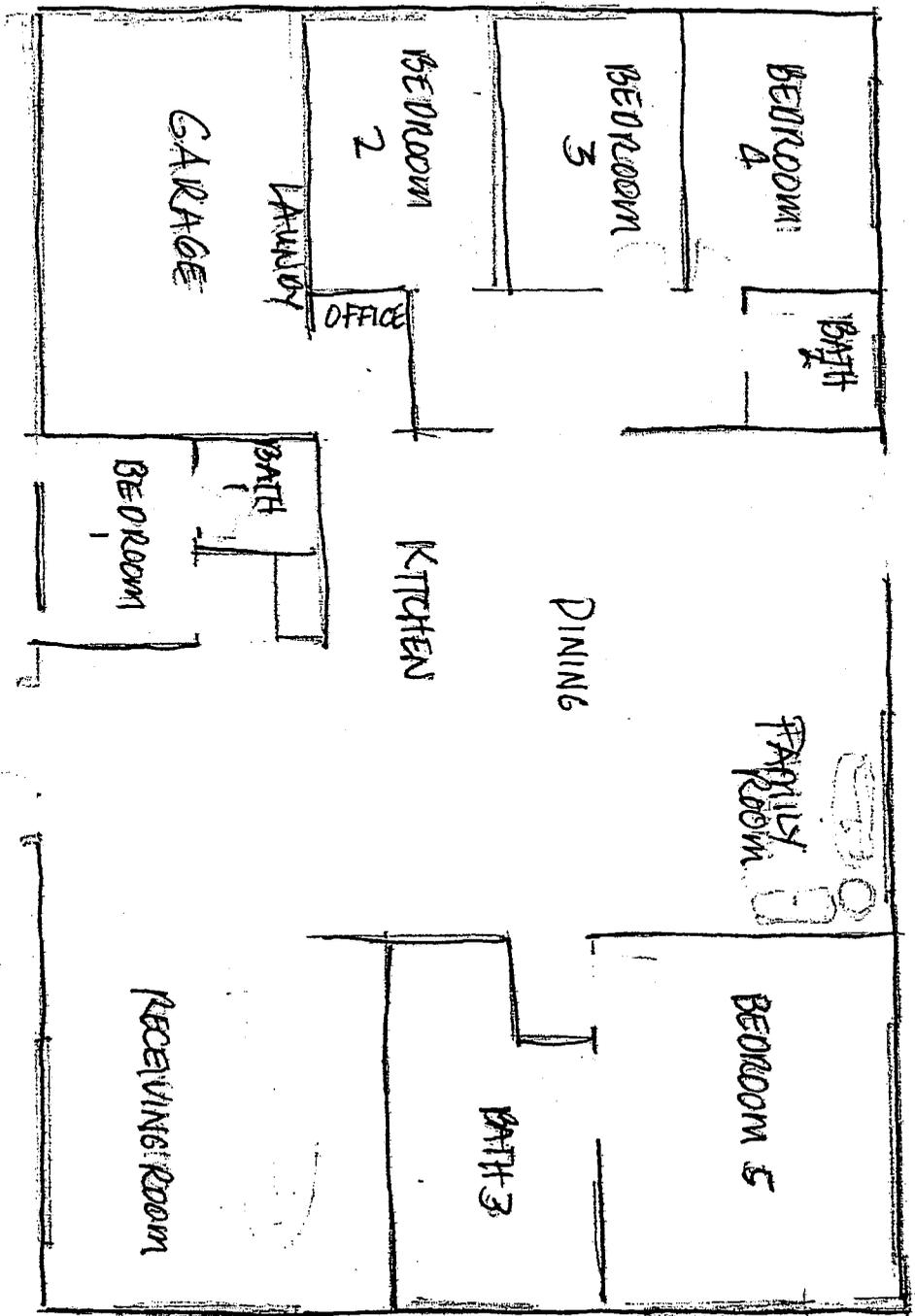


UP08-0060

Leisure Living for the Elderly, Inc.



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BACK

507 N. NANTUCKET CT.
 CHANDLER AZ. 85225

FLOOR PLAN



Date: January 21, 2009

Attn: Erik Swanson
City of Chandler
Zoning Department

Re: Assisted Living Home, License for 8
Permit Number: UP08-0060

Business Name: Leisure Living for the Elderly, Inc
Address: 507 N. Nantucket Ct., Chandler, AZ 85225

LLE, Inc. is a licensed assisted living home by the Arizona Department of Health Services. This facility has granted a permit to operate for 8 residents. We provide services to assist the elderly in their daily living activities such as bathing, grooming, feeding, ambulating, administering medications and other assistance they may need according to their capabilities. We are currently in the process of acquiring the Use Permit extension, and as part of the Use Permit process are required to hold a neighborhood meeting.

A neighborhood meeting was held at Chandler Community Center Room #1 at 6pm on January 5, 2009 and no one from the neighborhood showed up.

The facility has 6 bedrooms and 3 bathrooms, with approved sprinkle systems and fire alarm monitoring. We have 4 full time staff and a part time housekeeper and maintenance person.

Should you require more information, please do not hesitate to call me at 480-332-2422.

Sincerely,

Nhor Latinovich
Director, LLE, Inc.