

# 27

APR 23 2009



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

**MEMORANDUM**

**Planning & Development - CC Memo No. 09-040**

**DATE:** APRIL 2, 2009

**TO:** MAYOR AND CITY COUNCIL

**THRU:** W. MARK PENTZ, CITY MANAGER  
JEFF KURTZ, ACTING PLANNING & DEVELOPMENT DIRECTOR  
KEVIN MAYO, ACTING PLANNING MANAGER

**FROM:** ERIK SWANSON, CITY PLANNER

**SUBJECT:** UP08-0071 ELDERCARE AT WESTERN

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

**Location:** 2004 W. Western Drive

**Applicant:** Joe Carlos, 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 the single-family zoning district (SF-8.5), Planning Commission and Staff recommend approval with conditions.

**BACKGROUND**

The subject site is located north of the northwest corner of Dobson and Elliot Roads, within the Knoell East single-family subdivision. Directly north of the subject site is a canal, located in the City of Mesa. Single-family homes surround the property to the west, south, and east.

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 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., 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 subject site received Use Permit approval for an Assisted Living Home in 2003 for up to six residents for a single year. In 2004, the Assisted Living Home received an extension of the Use permit for an additional three years. In 2007, the Assisted Living Home received a new Use Permit allowing up to eight residents. As part of the approval a one-year timing condition was added. The applicant is requesting an extension of the Use Permit for an additional three years. Staff is unaware of any opposition for the existing operation, and recommends approval with a three-year timing condition.

The home was built in 1979 as part of the Knoell East single-family residential subdivision. The house has been expanded to approximately 1,539 square feet with six bedrooms, approximately 400 square feet larger than other homes in the subdivision. The backyard is fenced, with additional fencing around the pool. There is no covered parking, but two parking spaces are provided in the driveway. The carport was enclosed prior to the Zoning Code requirement to provide two covered parking spaces. Employees do not park at the home; the applicant is responsible for driving the employees to and from the home. Visiting hours are from 9 a.m. to 7 p.m. and visitors are encouraged to call beforehand. The facility and property are well maintained.

The applicant has operated this facility as the owner/administrator for the past six years. In addition, the applicant is a Certified Manager and licensed by the Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers. Furthermore, the applicant is involved in continuing certification and training for the operation of Assisted Living Homes.

#### **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 Friday, February 27, 2009 at the Downtown Community Center. No neighbors were in attendance.

As of the writing of this memo, Staff has received no phone calls or letters of opposition. A nearby resident contacted Staff after the Planning Commission meeting, and had general questions regarding the request.

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

Motion to Approve:

In Favor: 7    Opposed: 0

**RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan and the SF-8.5 zoning district, recommend approval of the Use Permit subject to the following conditions:

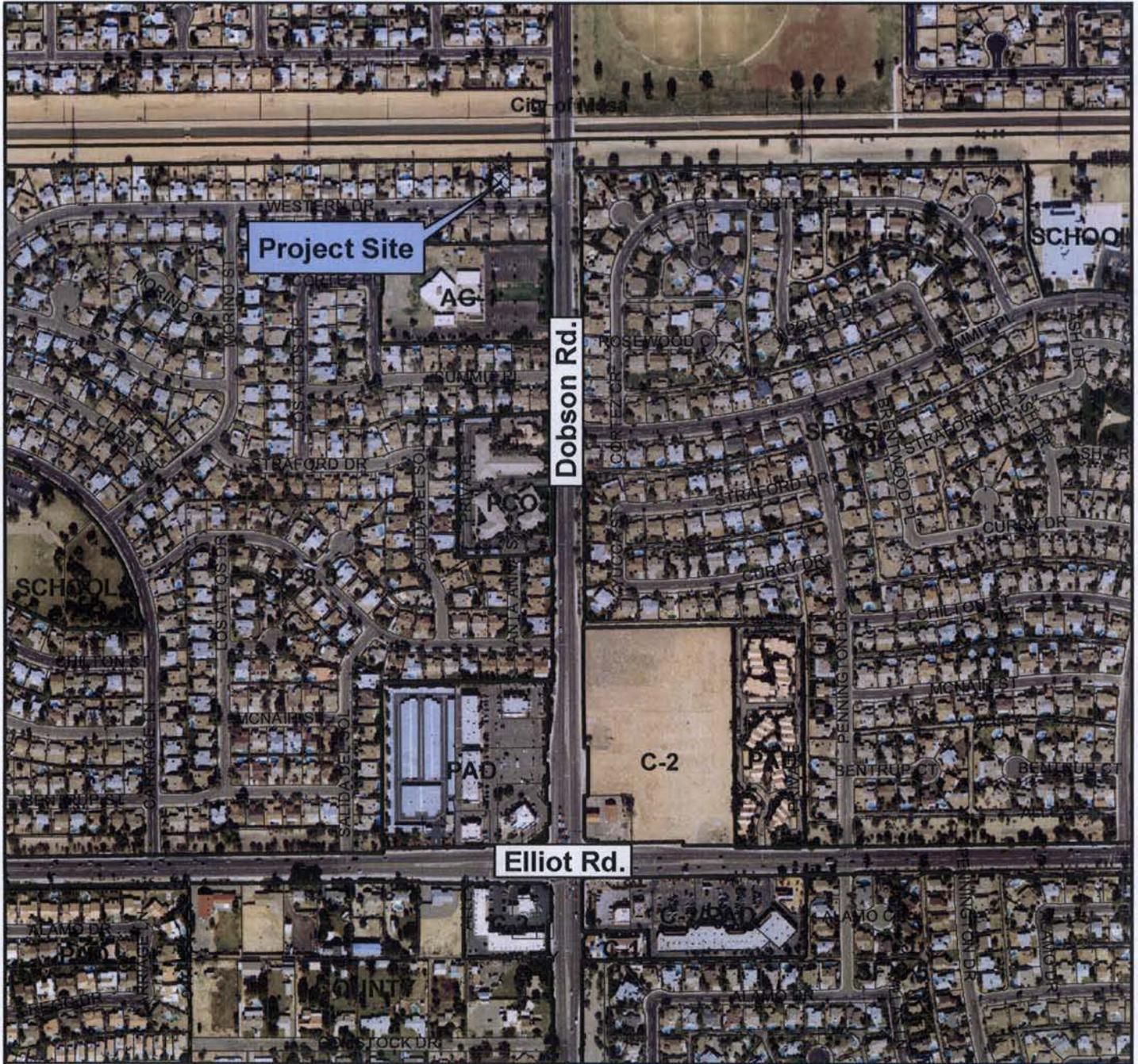
1. The assisted living home shall have no more than eight (8) residents at any time.
2. Should the applicant sell the property, this Use Permit to operate an assisted living home shall be null and void.
3. This Use Permit shall remain in effect for three (3) years from the effective date of City Council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

**PROPOSED MOTION**

Move to approve UP08-0071 ELDERCARE AT WESTERN 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



## Vicinity Map



UP08-0071

**Eldercare at Western**



City of Mesa

**Project Site**

AG-1

PCO

SF-8.5

PAD

C-2

PAD

Elliot Rd.

C-2

COUNTY

C-2/PAD

C-1

SF-8.5

# Vicinity Map



UP08-0071

**Eldercare at Western**

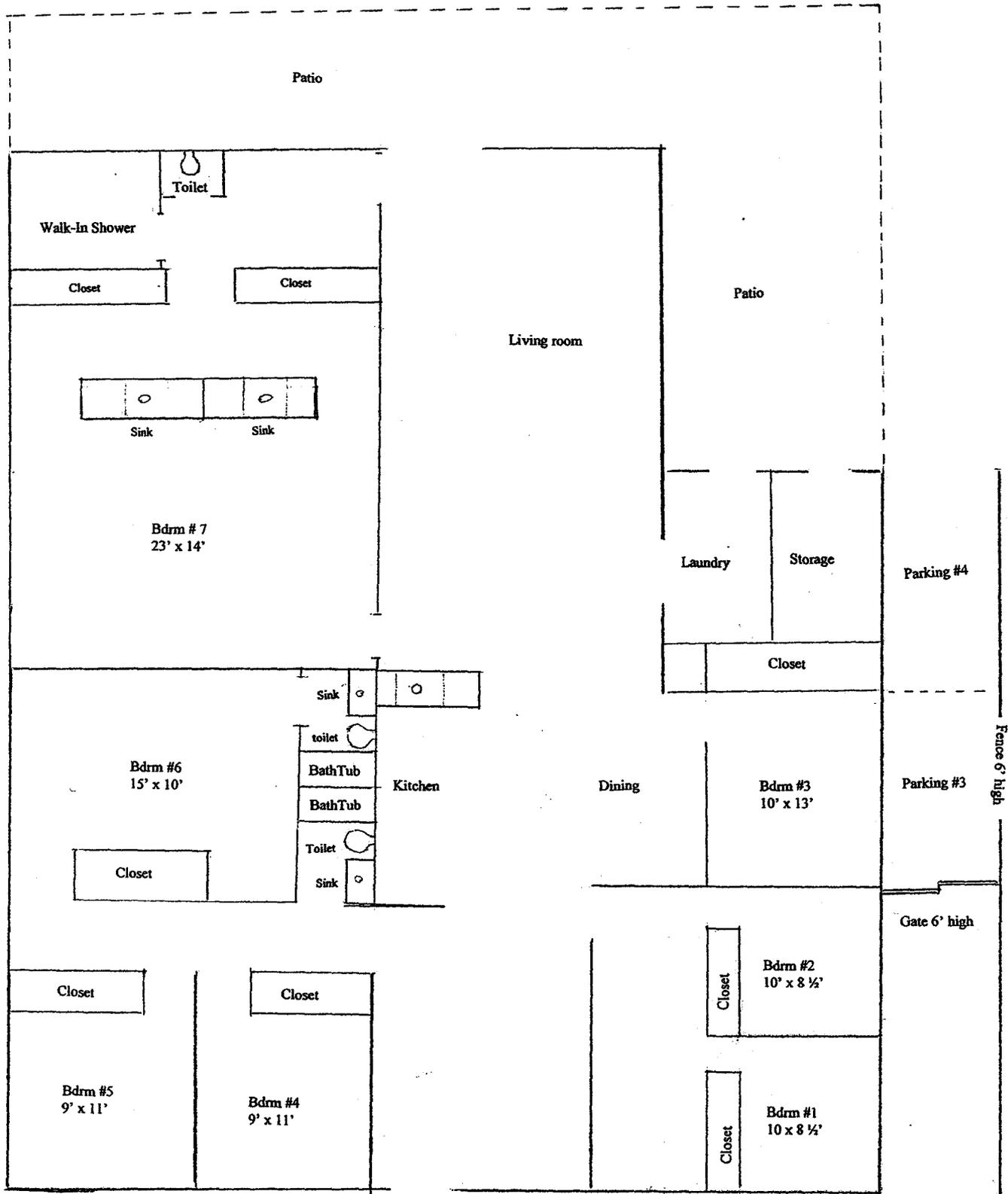


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CITY OF CHANDLER 12/26/2008

**EMERGENCY EVACUATION PLAN**  
 Sunrise Adult Care Home  
 2004 W Western Drive, Chandler, AZ 85224  
 JOSE B CARLOS (Owner) (480) 205-4524

Backyard



- Legend:**
- Smoke Alarms
  - Fire Extinguisher
  - Main Exit
  - Secondary Exit
  - Meeting Place

Note: Parking for guests only  
 No parking for employees  
 No overnight parking