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MAY 28 2009



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MEMORANDUM **Planning and Development – CC Memo No. 09-054**

DATE: MAY 13, 2009

TO: MAYOR AND CITY COUNCIL

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

FROM: BILL DERMODY, SENIOR CITY PLANNER *BD*

SUBJECT: UP09-0005 DESERT SPRING ADULT CARE HOME

Request: Extension of Use Permit approval to operate an adult care home within a single-family residence for up to five (5) adults

Location: 1641 E. Yellowstone Place
 Southwest of the southwest corner of Cooper and Ocotillo Roads

Applicant: Viorica Sana

RECOMMENDATION

Planning Commission and Staff, finding consistency with the General Plan, recommend approval subject to conditions.

BACKGROUND

The subject site received approval in April 2008 for one (1) year to operate an adult care home for up to five (5) adults. The request is to extend the Use Permit approval for an additional three (3) years. The subject site is located in the Cooper Corners single-family residential subdivision near the southwest corner of Cooper and Ocotillo Roads that was built-out primarily in 2004 and 2005. From 2005 to 2008, the applicant provided care for four (4) adults. Because the applicant's family lives on-site, the increase to five (5) adults being cared for exceeded the Zoning Code definition of "family" and required a Use Permit.

The 4,200 square foot home located on a corner lot has two floors with seven (7) bedrooms. The adult care residents occupy the main floor, which has four (4) bedrooms and three (3) full bathrooms (the floor plan's "powder room" has added a shower since construction). The homeowners (a couple and their son) who operate the facility live in the basement. Besides the homeowners, there are no other employees.

The subject site was denied a Use Permit in 2005 for an adult care home with up to eight (8) residents.

DISCUSSION

Planning Commission and Staff find the proposed use to be compatible with the surrounding neighborhood. There has been no neighborhood opposition with regard to traffic, noise, or any other land use effects. As a corner lot, there is plenty of parking adjacent to the house without using space in front of other residences. This adult care home has had effects similar to a typical single-family home at this location.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on April 15, 2009 at the Downtown Chandler Community Center. No citizens attended.
- Staff is not aware of any opposition to 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, recommend approval of UP09-0005 DESERT SPRING ADULT CARE HOME subject to the following conditions:

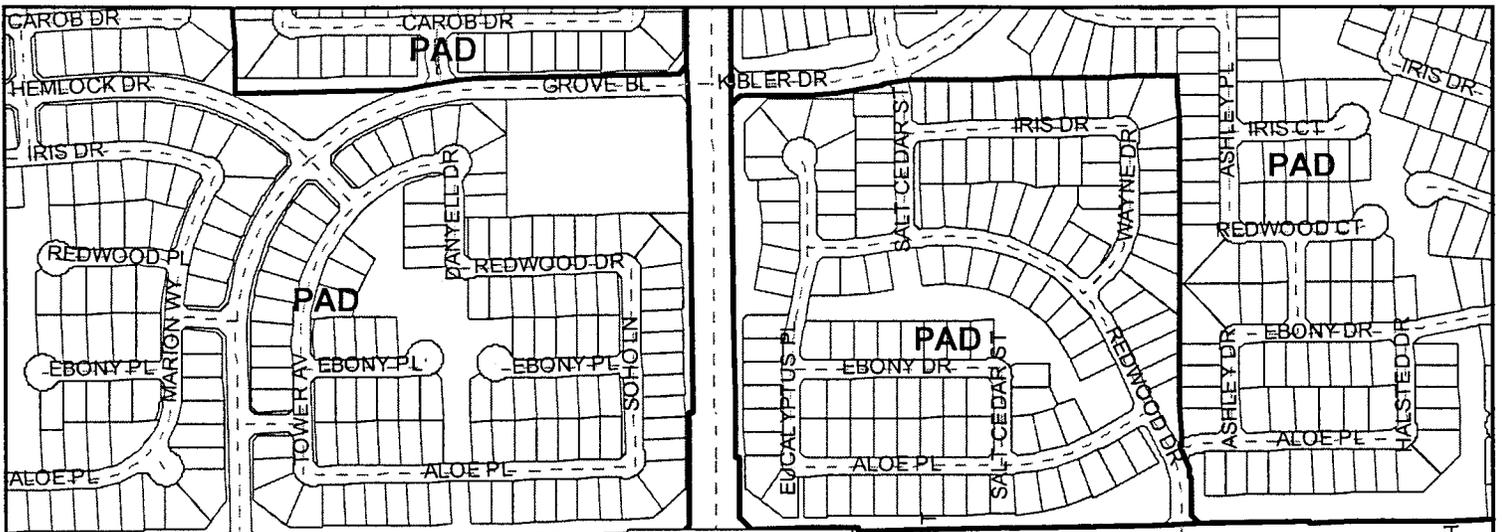
1. The Use Permit shall be granted for a period of three (3) years, at which time re-application shall be required. The three-year time period shall begin from the date of City Council approval.
2. Compliance with city provisions regarding the operation of adult care homes.
3. The maximum number of residents receiving care shall be five (5).

PROPOSED MOTION

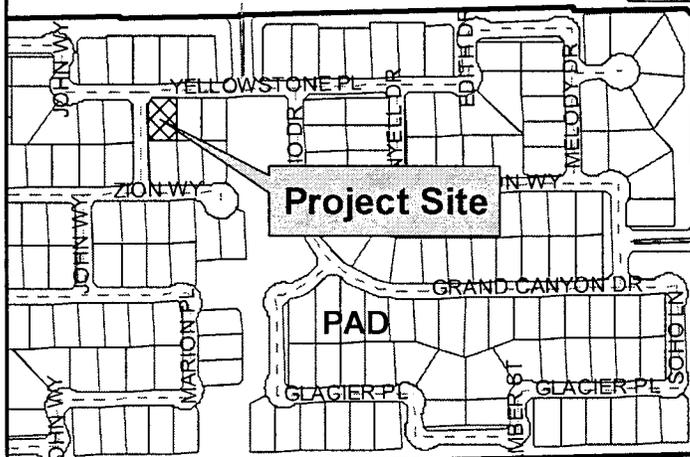
Move to approve UP09-0005 DESERT SPRING ADULT CARE HOME Use Permit to operate an adult care home within a single-family residence subject to the conditions recommended by Planning Commission and Staff.

Attachments

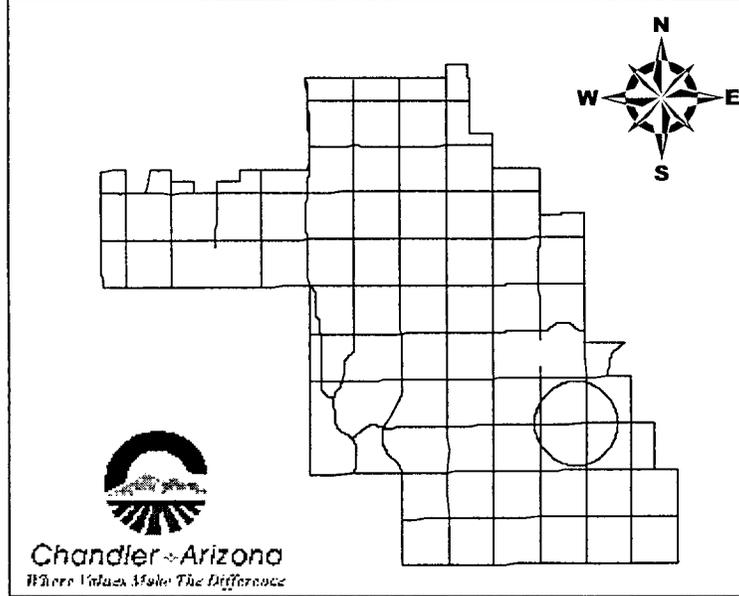
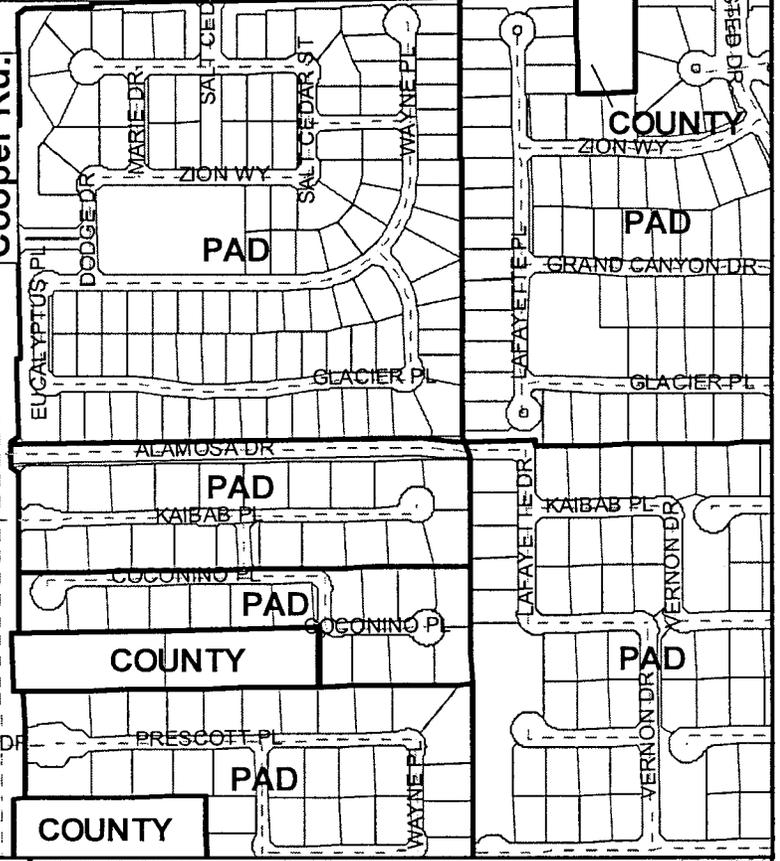
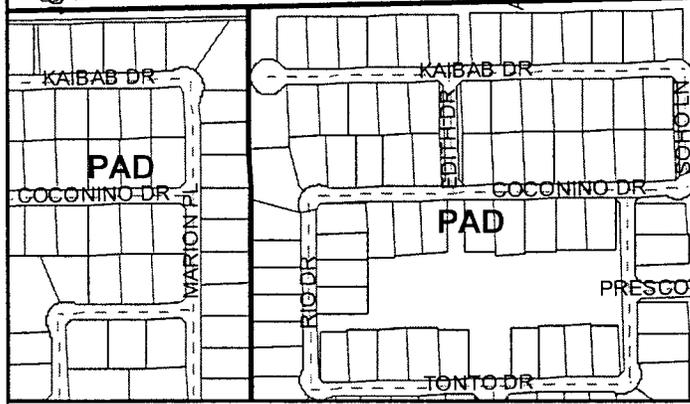
1. Vicinity Map
2. Site Plan
3. Floor Plan
4. Applicant's Neighborhood Meeting Letter



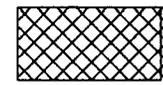
Ocotillo Rd.



Cooper Rd.



Vicinity Map

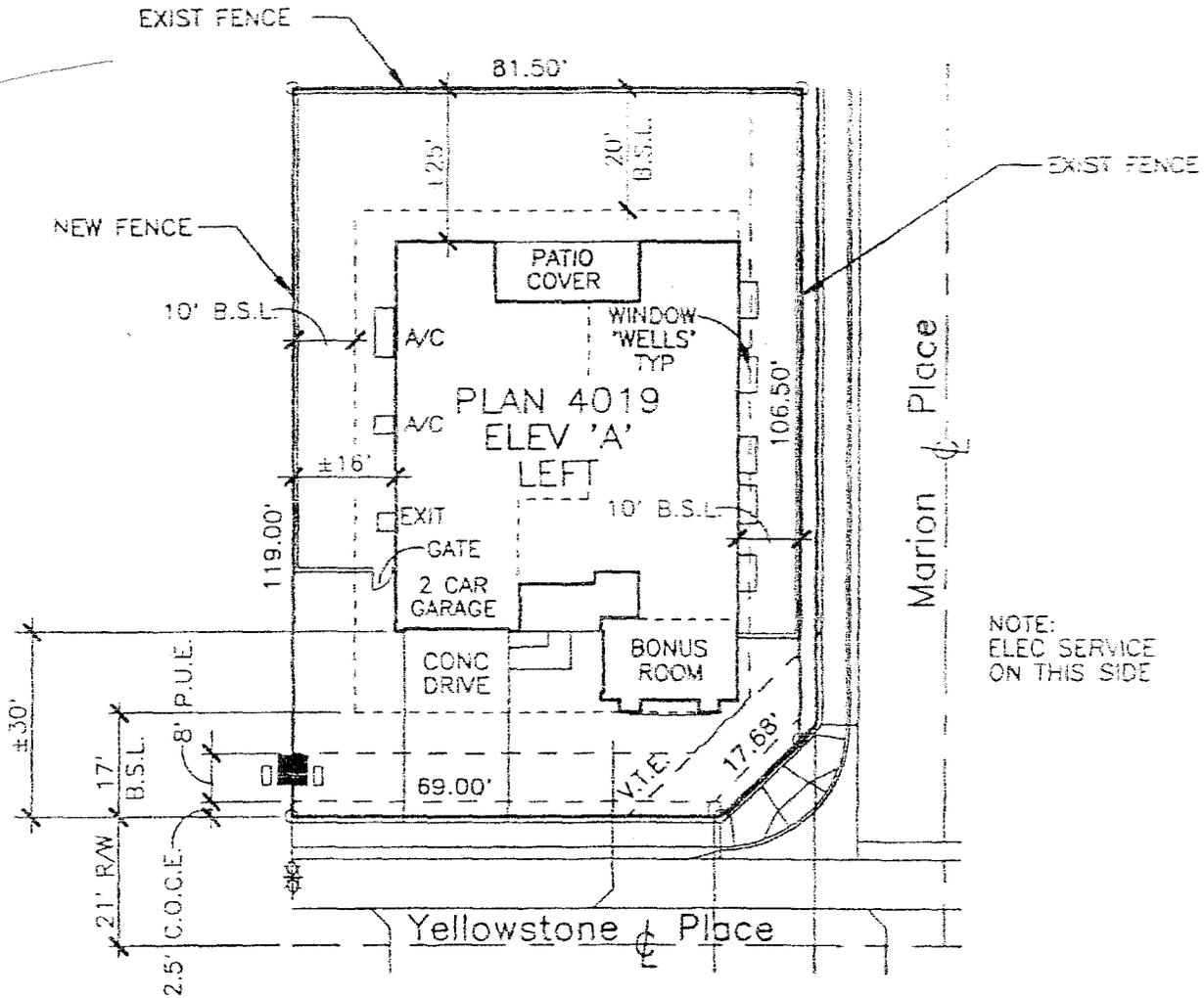
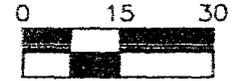


UP09-0005

Desert Spring Adult Care Home

LOT NO: 11 DATE: 6-27-04
 SUBDIVISION: COOPER CORNERS WEST
 ADDRESS: 1641 EAST YELLOWSTONE PLACE

SCALE: 1" = 30.00'



NOTE:
 ELEC SERVICE
 ON THIS SIDE

LEGEND

- B.S.L. BUILDING SETBACK LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- V.N.A.E. VEHICLE NON-ACCESS EASEMENT
- C.O.C.E. CITY OF CHANDLER EASEMENT
- V.T.E. VISIBILITY TRIANGLE EASEMENT
- S/W SIDE WALK
- C & G CURB & GUTTER
- FIRE HYDRANT
- STREET LIGHT
- ELECTRICAL TRANSFORMER

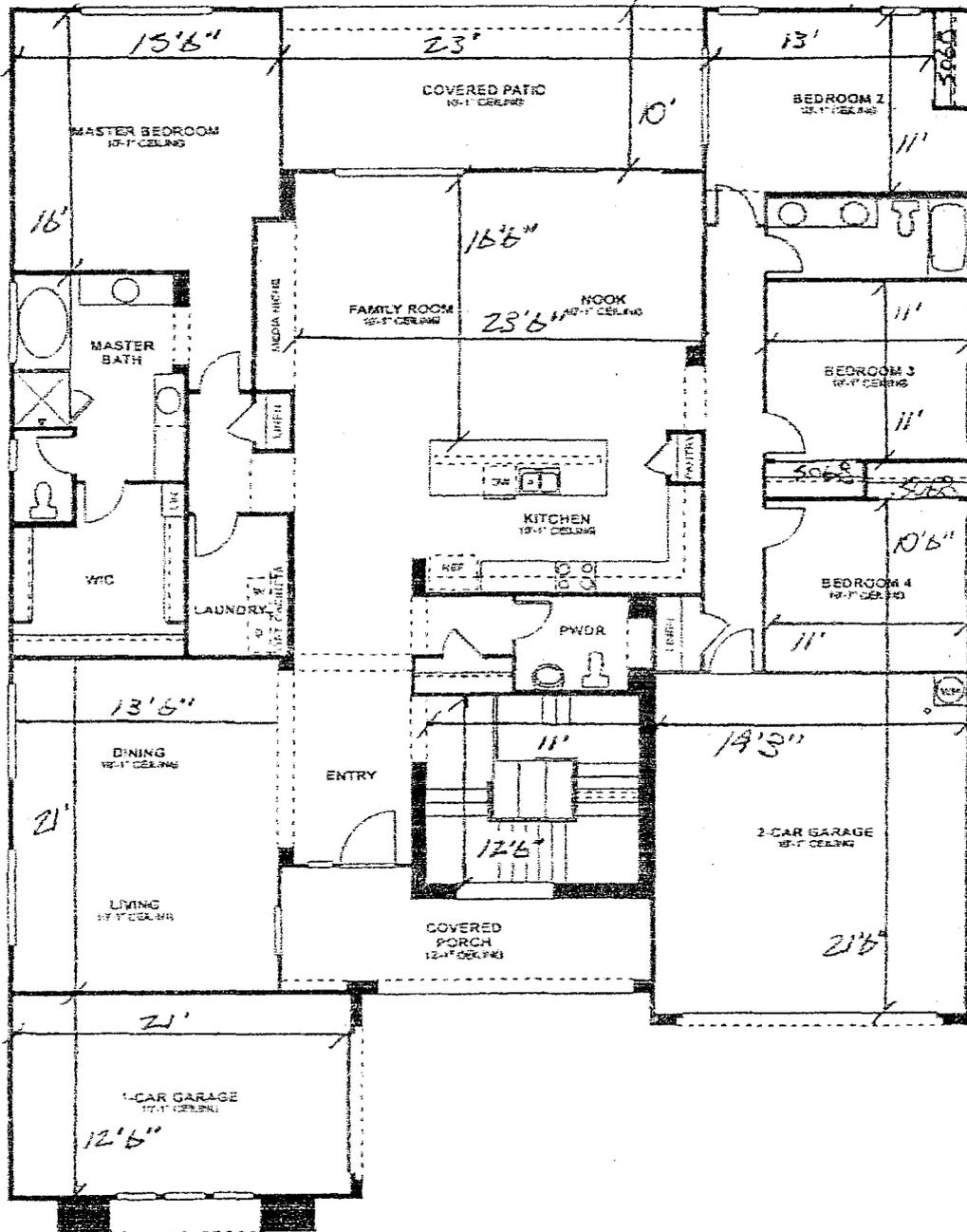
NOTE:
 BUILDING SETBACKS, FENCE LINES, AND PAD SIZE MAY VARY
 BASED ON EXISTING FIELD CONDITIONS. ALL MEASUREMENTS,
 ORIENTATION, AND UTILITY LOCATIONS ARE APPROXIMATE AND
 SUBJECT TO FIELD CHANGE AND VERIFICATION BY SUPERINTENDENT.

FOOTPRINT: 3719 S.F. PARCEL # 303-91-121

LOT: 9620 S.F. FENCE: ±80 L.F.

COVERAGE: ±38% FIN FLR = 39.53

FULTON HOMES 9140 SOUTH KYRENE, SUITE 202, TEMPE, ARIZONA 85284 480-753-6789



This brochure represents the plan with the following options selected:

- 1) Basement Stairs

March 26, 2009

Dear Neighbours,

Desert Spring Adult Care Home will be holding a neighbourhood meeting on at the Downtown Chandler Community Center, Room

The Downtown Community Center is located at 125 E. Commonwealth Ave.

Last year we obtained a Use Permit for 5 residents excluding our family and this year we intend to keep the same number of residents. (5 rez. excluding our family).

As you know we live in the neighbourhood and we have operated an adult care home from our house since 2005.

In order to keep the same number of residents we had last year the city requires us to hold a neighbourhood meeting before official public hearings is held.

The meeting will give neighbours an opportunity to express any concerns or pose any questions about this Use Permit.

For any further questions, please do not hesitate to call me at (480) 272-6362, or Bill Dermody, the Planner working on the application, at (480) 782-3056.

Sincerely,

VIORICA SANA
1641 E. YELLOWSTONE PL.
CHANDLER AZ. 85249

