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MAY 28 2009



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

**MEMORANDUM**

**Planning & Development - CC Memo No. 09-050**

**DATE:** MAY 14, 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:** UP09-0004 CASADORA MANOR

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

**Location:** 2371 E. Bellerive Place

**Applicant:** Jack Gilmore, Owner

**Project Info:** Approximate 10,128 square foot lot,  
Approximately 3,067 square feet of livable space

**RECOMMENDATION**

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

**BACKGROUND**

The subject site is located southeast of the southeast corner of Cooper and Riggs Roads, within the Cooper Commons single-family residential neighborhood. The subject site is located within a cul-de-sac and is surrounded by single-family homes.

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 home provides approximately 3,067 square feet of livable area, and sits on an approximate 10,128 square foot lot. The request is proposing six bedrooms. The home currently has four bedrooms, and with approval will convert the family room into an additional two rooms. The change is reflected in the attached floor plan. Additionally, the home will provide a theater room for the residents where the office is currently shown. The home also has a 128 square foot covered patio, and a large backyard for residents.

The home operated in the past with five or fewer residents under the ownership and management of the applicant. The applicant has since closed the facility and is now requesting approval for up to seven residents.

#### **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 Tuesday, March 3, 2009 at the Downtown Community Center. Ten residents attended the meeting, and all were opposed to the request. Staff has also received a letter from a resident opposed to the request. Concerns expressed by the neighbors included traffic and parking issues, hours of deliveries, and the operation of the past homes.
- The neighborhood HOA held a meeting to discuss the proposed Assisted Living Home, no opposition or support for the request was provided.

As of the writing of this memo, Staff has received five phone calls opposed to the request; two of the callers attended the neighborhood meeting. Staff has also received an email expressing opposition to the request, as well as a letter of recommendation.

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

Motion to Approve:

In Favor: 7    Opposed: 0

Five neighbors attended the hearing. Of the five, three were opposed to the request but did not speak due to a misunderstanding of the process. Staff spoke with the residents after the hearing and clarified the public hearing process, and the options available to express concerns. The residents reiterated their concerns regarding the traffic, deliveries, and management of the previous home. Staff explained that operational concerns, outside of land-use issues, are handled by the Arizona Department of Health Services.

#### **RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan and Planned Area Development zoning, 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 and approval by the City of Chandler.

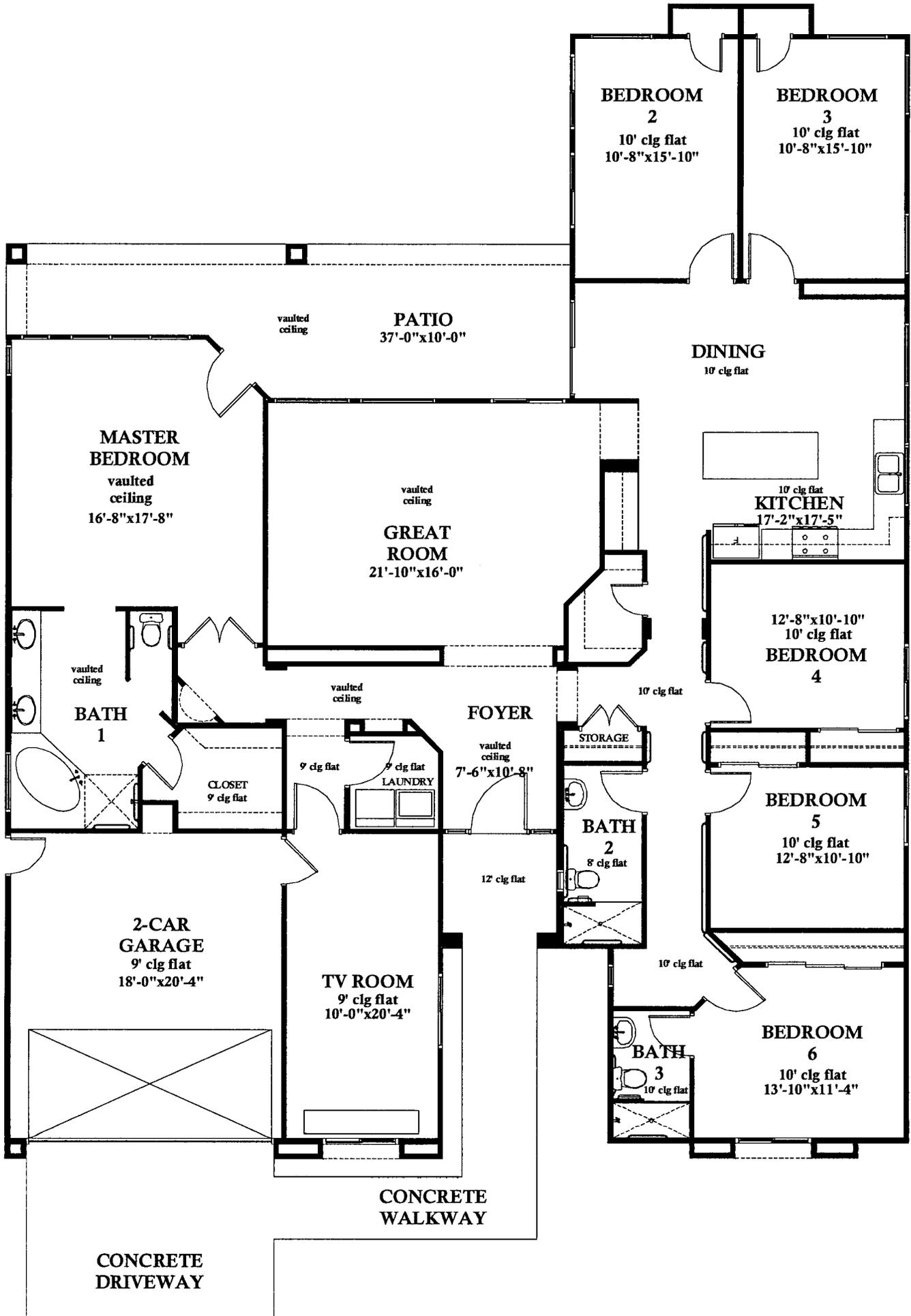
**PROPOSED MOTION**

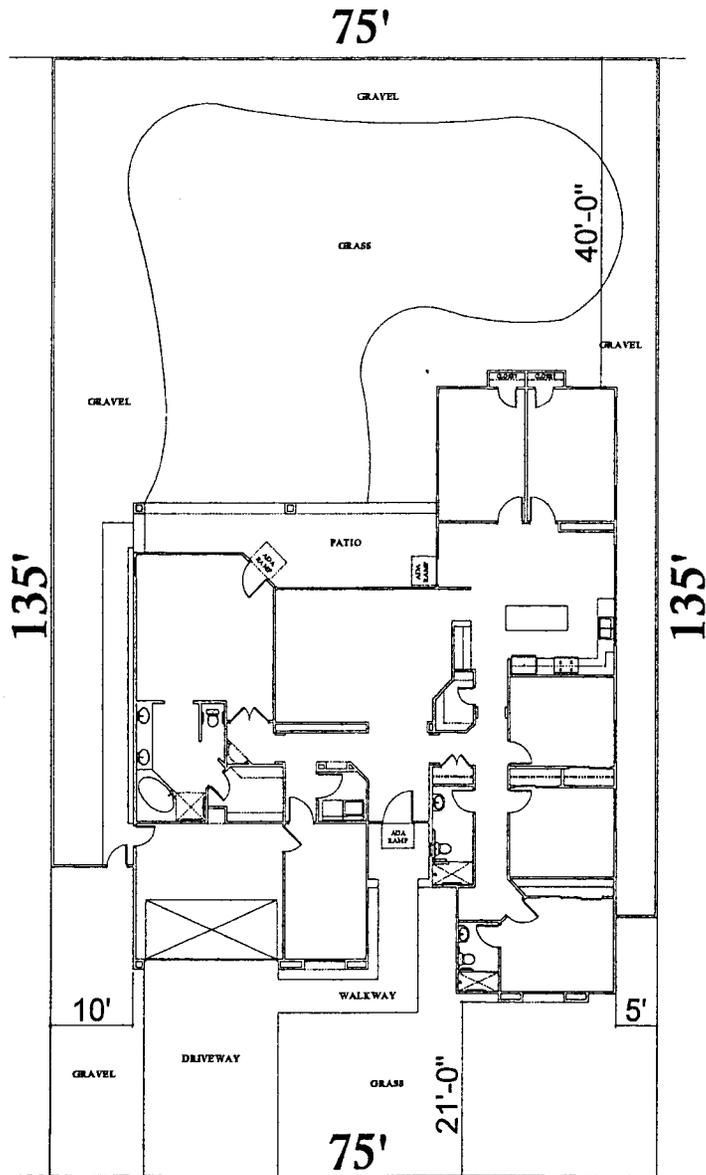
Move to approve UP09-0004 CASADORA MANOR, Use Permit to operate an Assisted Living Home, subject to the conditions recommended by Planning Commission and Staff.

**Attachments**

1. Vicinity Map
2. Floor Plan
3. Email in opposition
4. Letter of recommendation
5. Applicant Narrative





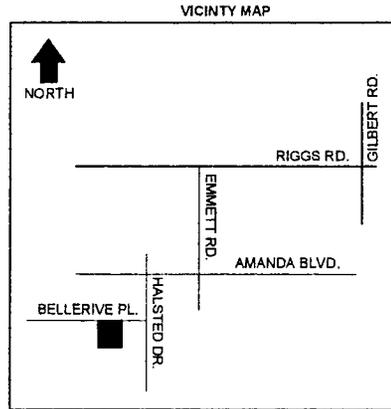


**BELLERIVE PLACE**



**ARCHITECTURAL SITE PLAN**

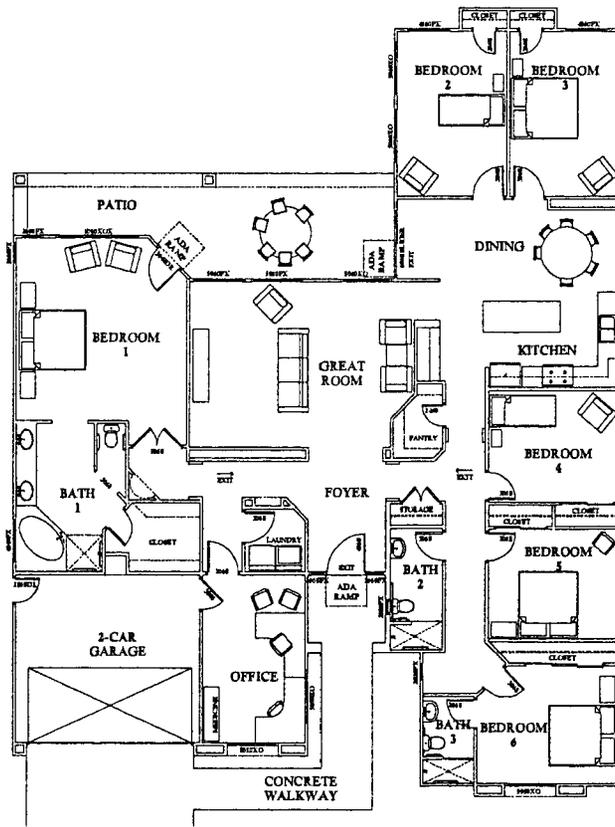
1" = 10'-0"



**VICINITY MAP**



BELLERIVE PL.  
HALSTED DR.



**DIMENSION PLAN**

1/8" = 1'-0"

DATE: 08-12-2008

PARCEL APN#: 303-56-275

ZONING: R-3  
CONSTRUCTION TYPE: VN

**AREA CALCULATIONS**

HOME: 3,067 S.F.

**COVERED AREAS:**  
COVERED ENTRY: 64 S.F.  
REAR PATIO: 128 S.F.

**GARAGE & STORAGE:**  
4-CAR GARAGE: 424 S.F.

TOTAL LIVABLE: 3,067 S.F.  
TOTAL COVERED AREAS: 192 S.F.  
TOTAL GARAGE: 424 S.F.

TOTAL S.F. UNDER ROOF: 3,683 S.F.

**SITE DATA:**

LOT SIZE: 10,128 S.F.  
BUILDING FOOTPRINT: 3,683 S.F.  
FOOTPRINT LOT COVERAGE: 36.36%  
ALLOWABLE LOT COVERAGE: 40.00%

PARKING AVAILABLE: & PROVIDED  
GARAGE: 2  
DRIVEWAY: 2

**Gilmore Residence**  
2371 E. Bellerive Pl.  
Chandler, Arizona 85249  
**Group Home**

**Revisions**

DATE ISSUED

08-12-2008

DRAWN BY

CD

CHECKED BY

Jg

PROJECT NUMBER

08037

DRAWING NAME

COVER SHEET

SHEET NO.

**ACS**



**Public Hearing - UP09-0004 - Casadora Manor**  
Gary R. Eberhard to: erik.swanson

05/06/2009 09:17 AM

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History: This message has been replied to.

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Erik,

Good morning. We met briefly several weeks ago at the preliminary meeting for this project. If you remember, our neighborhood adamantly opposes this request. This has been a major topic of conversation amongst all of us neighbors, and in some ways, has driven a stake into our tight-knit community.

There are a total of 11 homes on our cul-de-sac. We have always enjoyed our neighborhood get-togethers, etc. Now, people are talking about selling their homes, leaving the neighborhood, etc. One family has already sold their home and will be vacating within the month. Others are sick over what this issue is doing to us as neighbors. It is completely unfair that we as the "majority" are being squashed by State and Federal initiatives that are completely insensitive to the surrounding homeowners and the safety of our families and children.

Understanding that tonight's meeting is only to discuss the 5 versus 7 bed scenario, we obviously oppose this request. Even if additional signs are provided for "slow down - children at play", no on-street parking, no commercial delivery trucks between "X and Y" hours, etc. this does nothing to reduce the volume of strangers entering our cul-de-sac. The opportunity for burglary as well as exposure of our children is-not/has-not been addressed, let alone reduced.

Unfortunately, my wife and I will not be able to attend this evening's meeting. We are dealing with a family matter / health issue as my Mother is very ill right now. This is obviously our priority as a family, however, we really want to make sure that our views are expressly shared with yourself, as well as the other P&Z Committee members.

As a side, we have been doing a bunch of research on these types of home-based facilities. My wife and I have visited a couple as well. In short, they are not sufficiently regulated or policed. The State continues cutting back on resources as part of the State deficit and budget woes and will make regulation of these facilities even less of a priority. The ratio of caregiver-to-patients is (already) severely lacking. Adding two more beds (7 versus 5) to the ratio makes it even worse.

Ultimately (and unfortunately), given Mr. Gilmore's track record, who is going to verify how many beds he is actually providing within the facility as his integrity has already been questioned numerous times over the past several years?

Please understand and voice our frustration. This is a very important issue for us, but from a priority standpoint, my Mother has to come first right now. There is no other issue that could possibly take precedence over Casadora Manor!

Thanks so much for your time and consideration. Let me know if there is anything else you require.

Olivia Paulesc- Pastean  
AROUND THE CLOCK TLC  
10865 E. Mercer Lane,  
Scottsdale, AZ 85259  
480-657-8860 - Business  
480-209-1370 - Fax  
480-510-5160 - Mobile  
olivia@aroundtheclock-tlc.com

To Whom It May Concern:

This is a letter of recommendation for Casadora Manor Assisted Living Facility. I inspected and toured the home located at 2371 E. Bellerive Pl. Chandler, AZ 85249, for an approval to pursue a future licensing for an assisted facility for the City of Chandler zoning commissions.

The level of care, attention and understanding have surpassed my highest expectations. I strongly endorse and this project. Casadora Manor Assisted Living Facility has a warm and spacious feel to the home, with a great layout with all the amenities for handicapped and special needs for patients. The home has a landscaped exterior to make the future patients feel welcomed.

I have worked with owner Bianca Gilmore of Casadora Manor on past assisted living facilities in the Maricopa County. I will say that her previous establishments have been well above the satisfactory level of care she brings with management and supervision to the care of residents.

I am a member of the NCIA board. I am currently serving my second term. On this board I am responsible for the approval, denial, or revocation of managerial licenses for assisted living facility managers for the Department of Health Services.

We are faced with the baby boomers generation and there is a great need for skilled medical care and a place for our elderly to call home that promotes their emotional, physical, mental well-being.

Sincerely,



Olivia Paulesc- Pastean

Narrative for the City of Chandler, Arizona  
Assisted Living Home  
Name of Company: Casadora Manor

The Proposed Project:

Is an Assisted Living Adult Care Home at 2371 E. Bellerive Pl. Chandler, AZ 85249  
The home will be in the Copper Commons neighborhood located close to the Sun Lakes Community. The home is in a very quiet cul-de-sac surrounded by single family residents, The home was constructed in 2001 by Shea Homes. It's a single family home that is 3,067 SF of livable space on a 10,128 SF lot size, (see exhibit A) for floor plan.

The home is fully landscaped with grass and lush gardens with no pool. A 2 car garage and a 2 car driveway are available for parking. There will be no new construction needed to the site. The floor plan has been modified to accommodate adult care facility with all bathrooms meeting ADA requirements and also all doors are 36 inches clear for wheelchair accessibility. Also ADA access ramps have been placed at all entrances/exits.

Entertainment will be in house with no live music. Twice a month will have a beautician to visit the home during business hours. Fridays will be game night for the residents.

Our hours of operation for the families will be from 9am to 6pm Monday thru Sunday. We request that our families notify us in advance so that the visitations will not interfere with the care plan or planned activity for the day. We will always work with our families and visitors to make sure that they can have access to their loved ones. We will make exceptions for Holidays. Also, the plan constitutes for three employers that will rotate shifts and each employer will park their car in the garage space provided. This is so that we will not have any parking clutter or affect the neighbors in any way.

As owners we have been in the adult care home business, and we have generated 2 care homes in the past. We started our care home business in Scottsdale in 2000. This will be our 3<sup>rd</sup> care home and we expect to be our best with all our knowledge and reputation throughout the industry. We work closely with medical professionals in the care field and have established long time relationships that attribute to our excellence in the standards of care that we provide. Our new home Casadora Manor, will resonate a touch of elegance and homelike warmth to the elderly clients. Our outstanding commitment that we want to offer our families is a deep line of established communication and a team approach to the necessity of care that will provided standard to their family members.

We thank you for your review of our care home project proposal. We also request your approval for this project and trust that you will do so appropriately.

Thank you,

Casadora Manor  
Jack & Bianca Gilmore