



MEMO

TO: Planning and Zoning Commission
FROM: Ray Erlandsen 
Acting Community Development Director
DATE: January 11, 2010
SUBJECT: 906 E. Frontier Street CUP-176-09
Conditional Use Permit – Group Home - More Than 6 Residents

Background

The applicants, Randall J. & DeLaine L. Brooks, property owners, are requesting approval of a conditional use permit to allow a group home (assisted living home) with more than six residents use at 906 E. Frontier Street, Gila County Tax Parcel #304-02-047.

Analysis

The applicants are proposing to provide care for elderly residents who may need help with daily living activities in the form of an assisted living home. They would provide a minimum of two 24-hour caregivers to assist residents as needed.

The Unified Development Code (UDC) does not have a specific category for an “assisted living home”. In the absence of a specific requested use, the Zoning Administrator shall determine whether the use is to be allowed. In this case, the requested “assisted living home” use is similar to the existing “group home” use in the UDC in that both are regulated by Arizona State Statute (ARS) Title 36 provisions. The UDC “group home” use allows up to six residents and two caregivers without a conditional use permit (CUP). More than six residents and two caregivers requires a CUP. The applicant has indicated to staff that they have applied for a Title 36 license for up to ten residents. Staff believes that a CUP allowing an increase from six to ten residents meets the intent of the existing “group home” use provided the recommended conditions are met.

The primary purpose of a group home is to provide a family-like setting with ongoing supervision and support for persons unable to live independently in the community. An assisted living home is very similar in that it provides a special combination of housing, supportive services, personal assistance, and health care designed to respond to the individual who needs help with daily living activities.

This property is within the Northern Gila County Sanitary District (NGCSD). Public water and sanitary facilities are required and currently in use.

Staff Recommendation

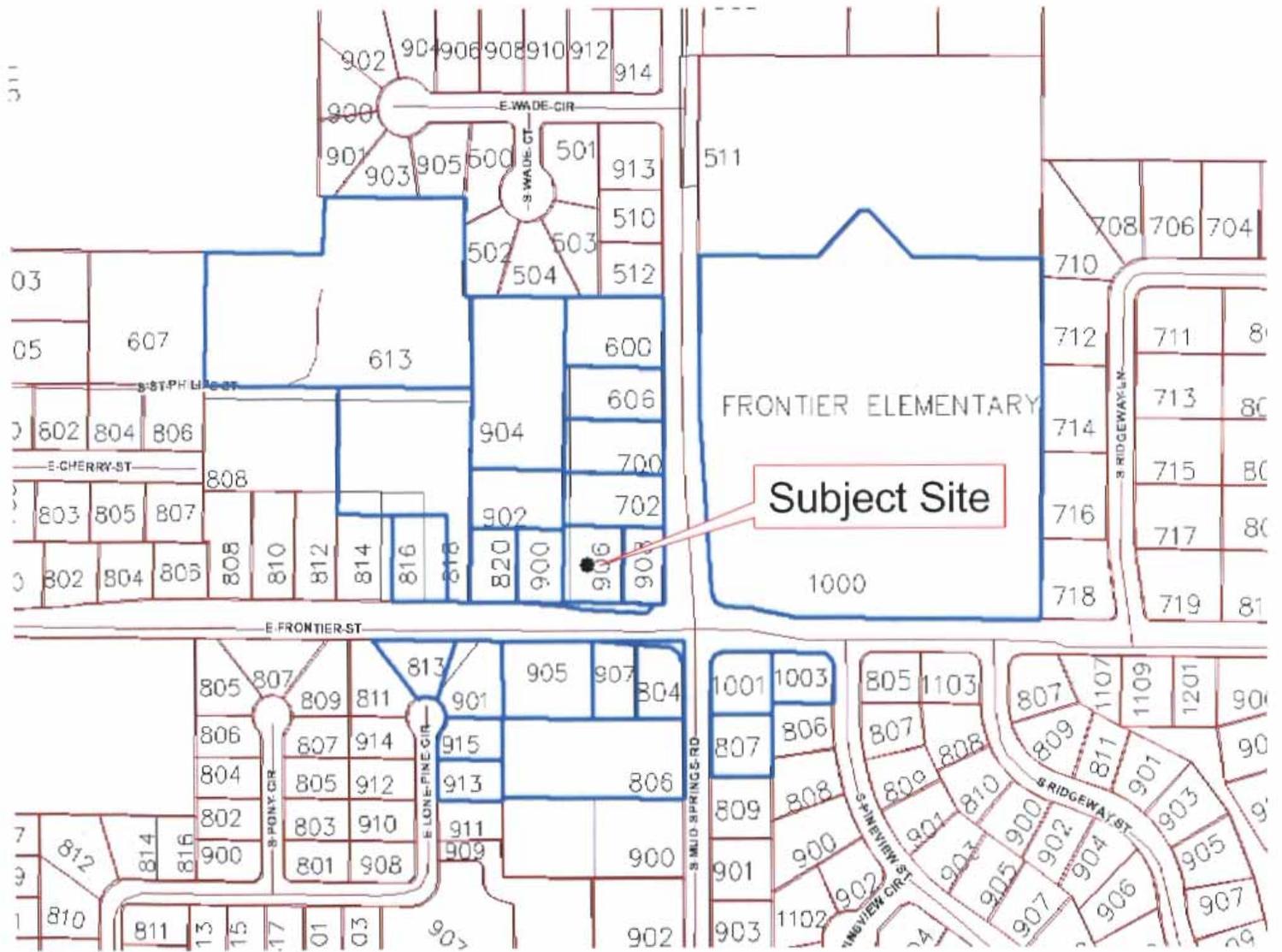
Recommendation: Approval with conditions listed below.

1. Site shall comply with all Town of Payson development regulations, including water conservation measures.
2. The use shall comply with all state licensure requirements. Failure to comply with state requirements shall be grounds for revocation of the CUP.

3. No more than 10 residents with two caregivers shall be allowed.
4. An approved Town of Payson business license (BL) and occupancy permit (BOP) are required prior to commencing business.
5. All requirements of the Gila County Health Department shall be met.
6. That the length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as this property is used for a group home (assisted living home) with no more than ten residents use, then the use permit is applicable. Change in uses or additional uses shall require approval through the CUP process.

Suggested Motion to Approve:

“I move the Planning & Zoning Commission approve CUP-176-09, a request to allow a group home with more than six, but no more than ten residents use at 906 E. Frontier Street, with the conditions listed in the staff report.”





W. Frontier St.

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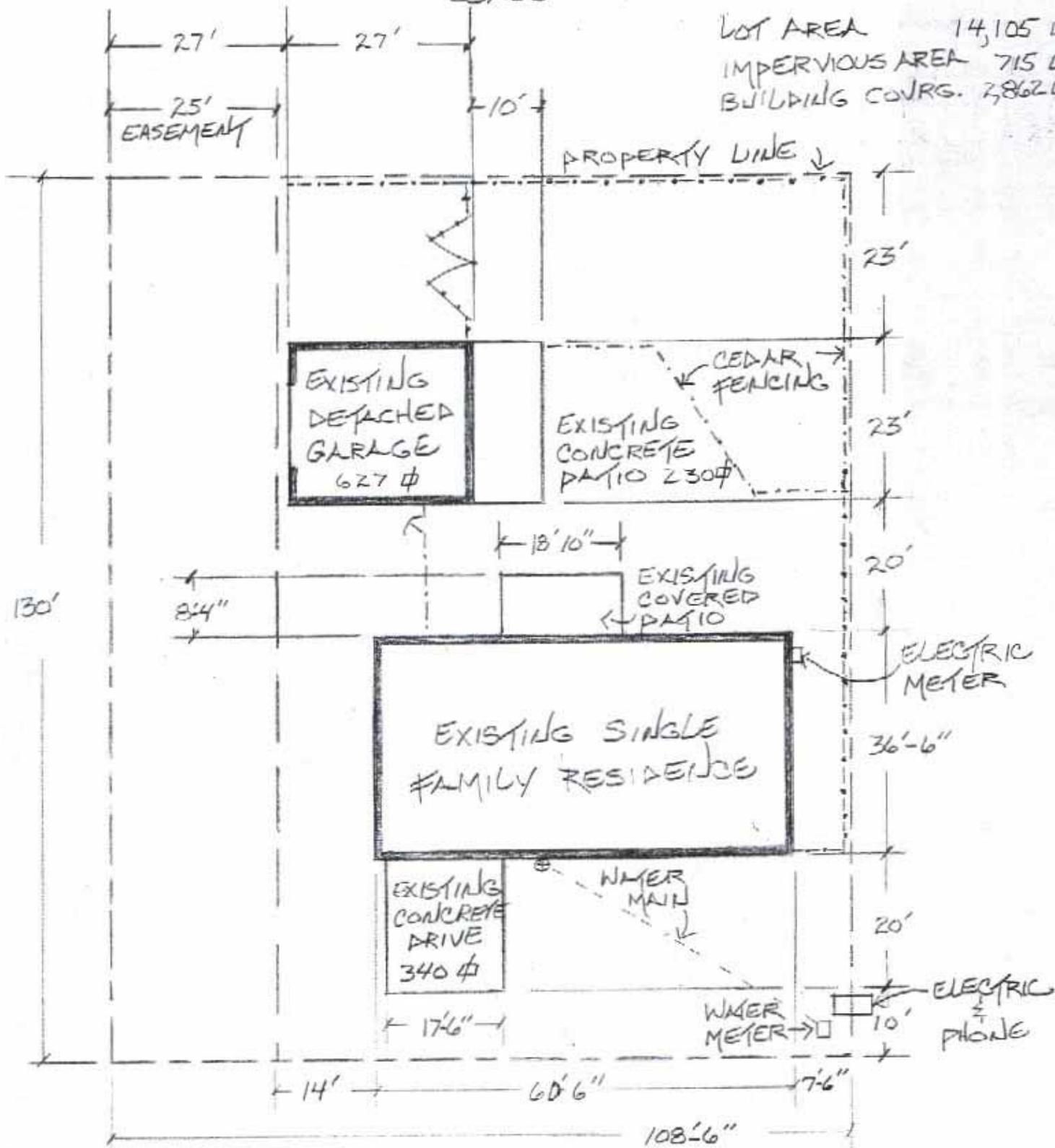
96

99

SITE PLAN
SCALE = 1" = 20'



LOT AREA 14,105 \square
IMPERVIOUS AREA 715 \square
BUILDING COVRG. 2,862 \square



← EAST FRONTIER ST →

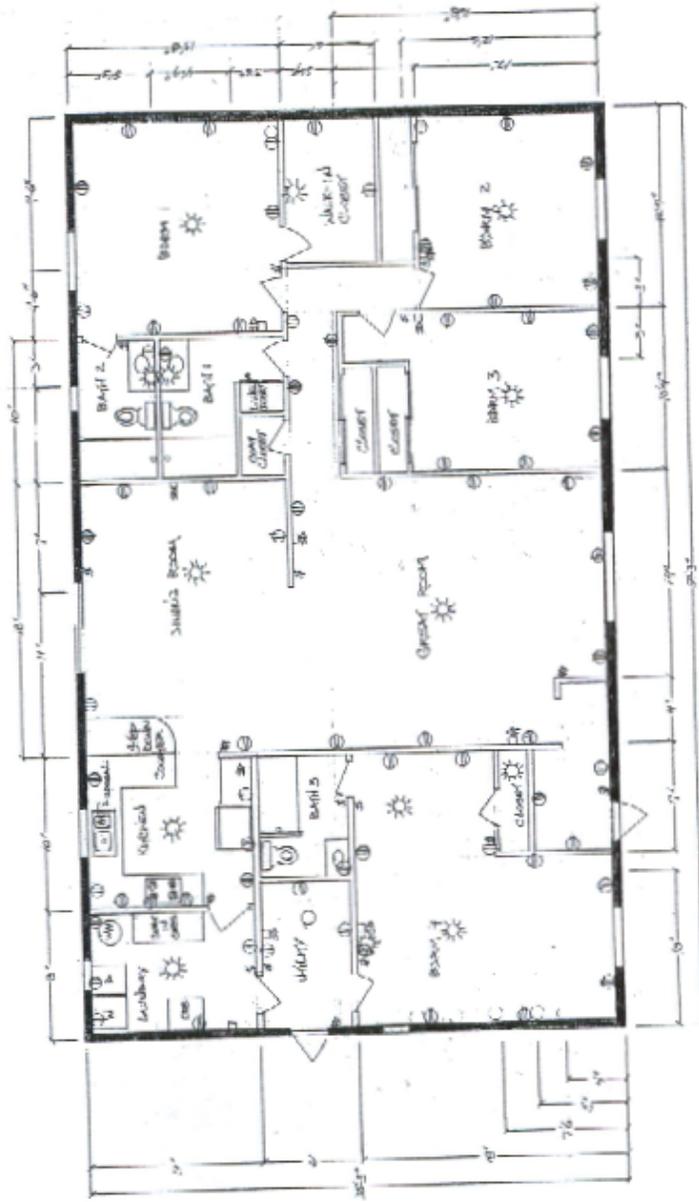
PARCEL ID:
304 OR 047
ODESSA PK. #5

ADDRESS:
906 E. FRONTIER ST.
PAYSON, AZ 85541



EXISTING FLOOR PLAN

SCALE - 1" = 4'



906 EAST FRONTIER
PAYSON, ARIZONA

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION OR
BOARD OF ADJUSTMENTS APPLICATION**

The undersigned Applicant(s) hereby applies for:

- | | | |
|--|--|---|
| <input type="checkbox"/> Abandonment Request | <input type="checkbox"/> General Plan or Land Use Plan Amendment | <input type="checkbox"/> Guest Quarters |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Minor Land Division | <input type="checkbox"/> ADU |
| <input type="checkbox"/> Code Amendment | <input type="checkbox"/> P & Z Commission Appeals | |
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Subdivision Plat | |
| <input type="checkbox"/> Development Master Plan | <input type="checkbox"/> Temporary Use Permit | |
| <input type="checkbox"/> Devel. Agreement, PAD & SPD | <input type="checkbox"/> Variance | |
| <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Zone Change | |

Aug, 2009

Project Address: 906 E FRONTIER ST. Tax Parcel Number: 304-02-047
 Subdivision: Odessa Park Lot Number: 5
 Name of Applicant(s): RANDY & DELAINE BROOKS Phone #: 928-978-9541
 Mailing Address: P.O. Box 596 Town: HEBER St: AZ Zip: 85928
 Name of Property Owner(s): SAA Town: _____ St: _____ Zip: _____
 Mailing Address: SAA Town: _____ St: _____ Zip: _____
 Contact Person: DELAINE BROOKS Phone #: 928-978-9541 Fax #: _____
 Payson Business License # _____ Sales Tax # _____

Detailed Description of Request:
REQUESTING PERMISSION TO CONVERT THE PRIVATE HOME AT 906 E. FRONTIER ST. INTO AN ASSISTED LIVING CARE HOME FOR ELDERLY RESIDENTS.

(Note: Additional Description area can be included in an attachment)

Certification: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address, or that for the purpose of obtaining this approval I am an authorized agent in his behalf.

DELAINE BROOKS Print Name Delaine Brooks Signature 12-16-09 Date

STAFF USE ONLY - PERTINENT DATA			
APPLICATION	DATE	INITIALS	APPLICATION FEE:
DATE FILED	<u>12-17-09</u>	<u>SLB</u>	<u>Conditional Use Permit Application fee \$1000.00</u>
COMPLETED APPLICATION			
NEWSPAPER PUBLICATION			
300' NOTIFICATION MAILOUT			
POSTING DATE			
			CHECK NUMBER: _____ DATE: <u>12-17-09</u>

RECOMMENDATION	DECISIONS
By: _____ Date: _____	By: _____ Date: _____

Gila County Parcel Information Search

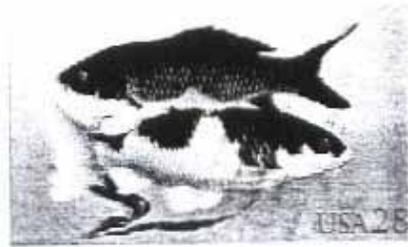
Assessor Information 304-02-047

Parcel/Tax ID	304-02-047
Tax Year	2010
Site Address	906 E FRONTIER ST, PAYSON
Owner Name	BROOKS RANDALL J & DELAINE L,
Owner Address	906 E FRONTIER ST PAYSON, AZ 85541
Tax Area	1053
Land Value	\$17,768.00
Improvement Value	\$198,692.00
Full Cash Value	\$216,460.00
Assessed Full Cash Value	\$21,646.00
Limited Value	\$215,182.00
Assessed Limited Value	\$21,518.00
Value Method	Cost
Exempt Amount	\$0.00
Exempt Type	
Use Code	0131
Property Use	0131-SFR-010-3 URBAN-SUBDIVID
Class Code	Residential
Assessment Ratio	10.000000
Sale Price	\$85,000.00
Sale Date	1/12/1990 12:00:00 AM
Instrument Type	JT
Book	
Page	585264
Parcel Size	0.32
Township, Range, Section	,
Legal Description	ODESSA PARK LOT 5
Property Type	REAL

Bldg ID	Occupancy	Built As	Quality	Sq Ft	Year	Cash Value
1	Single Family Residential	Ranch 1 Story	Average	2232	1985	\$187,052.00
2	Residential Yard Improvements	Residential Yard Improvements	Average	1	1998	\$11,640.00

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CITIZENS
PARTICIPATION
MATERIAL



Town of Payson
Attn: Sheila De Schaaf
303 W. Beeline Hwy.
Payson, AZ 85541

5000 LPT. © 1998

CORRECTION:
ASSISTED LIVING CARE HOME
INFORMATION MEETING IS
SAT. DEC. 5, 2009 AT 1:PM
906 E. FRONTIER

Nov 20, 2009

Dear Neighbors,

We are Randy & Delaine Brooks who own the home at 906 E. Frontier Street. We have not lived there for the past four years and have really had bad experiences renting it. We are sure you have noticed a decline in its' care since we've been gone. Therefore, we want to work on the home by re-painting, re-modeling and re-landscaping to make it once again the beautiful home it used to be.

Once it is re-established as a comfortable and dignified place to reside, we would like to offer it as an assisted living care home for the elderly. Since this is in your neighborhood, we are required to get your input. We are holding an information meeting on Sat. Dec. 4, 2009 at 1:00 PM in the back yard of the residence (906 E. Frontier).

If you have questions and are interested in coming, we would appreciate your attendance. It shouldn't last longer than 45 minutes – and who can resist tea and cookies!!

Thank you for your time and consideration on our behalf.

Sincerely,


Delaine Brooks

Randy and Delaine Brooks

(928-978-9541)

RECEIVED

NOV 23 2009

COMMUNITY DEVELOPMENT
DEPARTMENT

Care Home Information Meeting
Neighbor Comments Form
December 5th, 2009

Name of Neighbor: Names of Attendees:

Phone Number: _____

Comments: ATTACHED

Ronald & Mary Waugh (took sheet with)

Leonard & Leverne Evans (" " ")

✓ Gelie Weatherly

✓ Kenrick Francis

✓ Jed Walker

✓ Douglas & Shirley Owen

✓ Bernard & Theresa Lammers

} sheet is
attached

11 attended + 1 phone call = 12 comments

Your attendance & input is appreciated.

Thank You!

Signed: _____ Date: _____

Care Home Information Meeting
Neighbor Comments Form
December 5th, 2009

Name of Neighbor: DELAINE & RANDY BROOKS

Phone Number: HELD MEETING SAT. DEC. 5 @ 1:PM

Comments: The meeting went very well.
Mr. Evans had several comments on zoning,
parking and overall project. Most were
positive as were all other comments.
He took his comment sheet with him to
mail in but as of this date - I haven't
received it. (12/15/09) We were very happy
with everyone embracing the care home
idea instead of being subject to awful
center conditions. (Lasted 1 hr. @ site)

Your attendance & input is appreciated.

Thank You!

Signed: Delaine Brooks Date: 12/15/09

Care Home Information Meeting
Neighbor Comments Form
December 5th, 2009

Name of Neighbor: George R. DeYoung III

Phone Number: 818 E. Frontier St. (520-271-5292)

Comments: (Per Phone Conversation
Dec. 3, 2009 3:30 PM) Since I live
in Oregon - I won't be able to
attend. I think this type of
home is needed in Payson -
I see nothing wrong with
it. - George DeYoung on
phone w/ Delaine Brooks

Your attendance & input is appreciated.
Thank You!

Signed: phone conversation Date: 12/03/09

Care Home Information Meeting
Neighbor Comments Form
December 5th, 2009

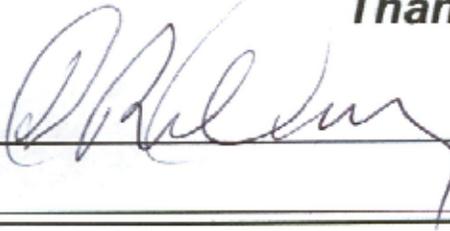
Name of Neighbor: DOUG & SITIRLEE OWEN

Phone Number: 474-9583 & 595-1378

Comments: WE ARE PLEASED TO HEAR OF
THE PROPOSED PLAN TO MAKE THE
HOUSE A CARE HOME.

Your attendance & input is appreciated.

Thank You!

Signed:  Date: 12-05-09

Care Home Information Meeting
Neighbor Comments Form
December 5th, 2009

Name of Neighbor: Bernie and Theresa Lammers

Phone Number: 474-0308

Comments: The only concerns we see deals with the easement road. If too many cars are at the house, parking in the easement could cause problems for neighbors and emergency access. More personal care given to people is good.

Your attendance & input is appreciated.

Thank You!

Signed: Theresa Lammers Date: 12/5/09

Care Home Information Meeting
Neighbor Comments Form
December 5th, 2009

Name of Neighbor: TED WALKER (CHUCK De Felice)
REPRESENTING

Phone Number: 978-3811

Comments: Things seem to be
satisfactory so far.

Your attendance & input is appreciated.
Thank You!

Signed: Chuck De Felice Date: 12/5/09

Care Home Information Meeting
Neighbor Comments Form
December 5th, 2009

Name of Neighbor: Julie Weatherly

Phone Number: 928-978-1047

Comments: I am in support of this care
home. The renters have not been good.

Your attendance & input is appreciated.
Thank You!

Signed: _____ Date: _____

Care Home Information Meeting
Neighbor Comments Form
December 5th, 2009

Name of Neighbor: Kenrick Francis

Phone Number: 928.474.9822

Comments: I think its a good idea
for the residents to turn it into
a care home providing that the
changes to the house that were discussed
are made.

Your attendance & input is appreciated.

Thank You!

Signed: Kenrick Francis Date: 12/5/09

Nov 20, 2009

Dear Neighbors,

We are Randy & Delaine Brooks who own the home at 906 E. Frontier Street. We have not lived there for the past four years and have really had bad experiences renting it. We are sure you have noticed a decline in its' care since we've been gone. Therefore, we want to work on the home by re-painting, re-modeling and re-landscaping to make it once again the beautiful home it used to be.

Once it is re-established as a comfortable and dignified place to reside, we would like to offer it as an assisted living care home for the elderly. Since this is in your neighborhood, we are required to get your input. We are holding an information meeting on Sat. Dec. ~~7~~⁵, 2009 at 1:00 PM in the back yard of the residence (906 E. Frontier).

If you have questions and are interested in coming, we would appreciate your attendance. It shouldn't last longer than 45 minutes – and who can resist tea and cookies!!

Thank you for your time and consideration on our behalf.

Sincerely,

Randy and Delaine Brooks
(928-978-9541)

Erlandsen, Ray

From: RANDY BROOKS [randybrooks@wildblue.net]
Sent: Monday, January 04, 2010 8:15 PM
To: PTKRUZN@msn.com; Erlandsen, Ray
Subject: Re: RE: Comments from Payson Community Development Website

Hello Ms. Spiess,

Thank you for your interest and concern in regards to the future care home located at 906 E Frontier.

In response to your questions:

1) What sort of group home will this be? Is it a half-way house, or rehab facility, or psychiatric facility, or who will be the residents of this facility?

Answer - It is called The Frontier House (no business signs will be visably posted) and is an Assisted Living Care Home, which will take care of level one patients, who are elderly people that can dress, feed and go to the bathroom for themselves.

2) How will this impact real estate values in the neighborhood?

Answer - The home will be properly maintained inside and out. The inside is to be inspected by the state and must meet health and assisted living care home requirements. The outside will be freshly painted and the yard will be properly maintained. The outside of the home is to have its landscape professionally cared for on a bi-monthly bases. So, with no signs and simply being a well-kept home, The Frontier House should raise the level of standards and real-estate values for the homes within the immediate area.

3) How much traffic will be going in and out of this property?

Answer - It's a sad thing, but statistically the visitation rate is only once a month per resident. The Frontier Home is on a 1/3rd acre lot and there is a separated parking area, out of site of the main road, which holds 5 vehicles if there ever was a need. The front 2 car driveway would be kept open for visitors and care givers would utilize the existing parking area located on the side of the house. On average, there will be two cars parked on the side of the property and one in the front for visitors on occassion. There will be no more traffic generated than any other residential home within the area.

I do apologize that you were unable to reach me when you tried before, Kathryn. Hopefully the number I have on file is correct. My phone number 928-595-1605, with a messaging service, if needed. Please feel free to call me at anytime if you have any more questions or concerns. And again, thank you for taking the time to comment on our project.

Happy New Year,

Randy Brooks
 randybrooks@wildblue.net
 928-595-1605

On Mon, Jan 4, 2010 at 3:13 PM, Randy Brooks <randy@mypayson.com> wrote:

1/5/2010

--- Begin forwarded message:

From: "Erlandsen, Ray" <RErlandsen@ci.payson.az.us>
 To: <PTKRUZN@msn.com>, <randy@mypayson.com>
 Cc: "DeSchaaf, Sheila" <sdeschaaf@ci.payson.az.us>
 Subject: RE: Comments from Payson Community Development Website
 Date: Tue, 29 Dec 2009 08:02:24 -0700

Kathryn Spiess,
 I'm forwarding your request to Randy Brooks via this email to allow him
 the opportunity to respond.

Randy Brooks,
 Please confirm your receipt of this email and your response to Kathryn
 Spiess.

Thank you.

Ray Erlandsen
 Acting Community Development Director
 Town of Payson
 (928) 474-5242, ext. 264
 rerlandsen@ci.payson.az.us

-----Original Message-----

From: Web Contact Form [mailto:PTKRUZN@msn.com]
 Sent: Tuesday, December 29, 2009 6:30 AM
 To: Erlandsen, Ray
 Subject: Comments from Payson Community Development Website

Kathryn Spiess submitted the following information using the Town of
 Payson website:

I live on S. Mudsprings and have a couple questions about CUP-176-09
 I was unable to attend the public meeting at this property on E.
 Frontier because I was working that weekend. I have tried to leave a
 message for Randy Brooks but there was no answering service to leave a
 message. I would like to know:

1) What sort of group home will this be? Is it a half-way house, or
 rehab facility, or psychiatric facility, or who will be the residents of
 this facility?

2) How will this impact real estate values in the neighborhood?

3) How much traffic will be going in and out of this property?

Thanks in advance. I can be reached at 468-8944 in the evenings.

5