To: Departments Concerned  
Date: September 17, 2018  
From: Alan Stephenson  
Planning & Development Department Director  
Subject: P.H.O. APPLICATION NO. Z-SP-5-95--2 – Notice of Pending Actions by the Planning Hearing Officer

1. Your attention is called to the fact that the Planning Hearing Officer will consider the following case at its meeting on October 17, 2018.

2. Information about this case is available for review at the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.

3. Please indicate your course of action, sign and return copy of this notice to the City of Phoenix Planning and Development Department, Zoning Division, 200 West Washington Street 2nd Floor, Phoenix, AZ 85003 by September 24, 2018.

- Will arrange to review case file no later than ____________________________
- Will resolve problems with the owner and contact you no later than __________
- We do not anticipate any problems in connection with the cases listed on this subject notice.

______________________________  ______________________
Signature  Date

DISTRIBUTION (Electronically):
Mayor’s Office (Seth Scott) - 11th Floor
Council District Office (Penny Parrella) – 11th Floor
Aviation (Randy Payne, Molly Monserud, Aviation Planning) – 3400 E. Sky Harbor Blvd
City Manager’s Office (Kevin Weight) – Historic Preservation Office
Community & Economic Development (Eric Johnson) – 20th Floor
Fire Prevention (Joe McElvaney) – 2nd Floor
Finance Admin (Barry Page) – 251 W. Washington – 8th Floor
Neighborhood Services (Gregory Gonzales) – 4th Floor
Parks & Recreation (Jarod Rogers) – 16th Floor
Public Transit (Jorie Bresnahan) – 302 N. 1st Ave., Ste 800
Public Transit/Light Rail Project (Mailen Pankiewicz/Special TOD Only) – 411 N. Central #200
Public Works (Kristina Jensen, Roxanne Tapia, Ray Dovalina, Rudy Rangel) – 5th Floor
Water Services (Don Reynolds) – 8th Floor
Planning and Development (Alan Stephenson, Joshua Bednarek) – 3rd Floor
Planning and Development/Information Services (Ben Ernyei) – 3rd Floor
Planning Hearing Officer (Tricia Gomes, Teresa Hillner) – 2nd Floor
Planning Commission Secretary (Amanda Murrietta) – 2nd Floor
Village Planner (Maja Brkovic, Paradise Valley)
Village Chair (Mathew Avrhami, Paradise Valley)
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION
APPLICATION NO: PHO-1-18--Z-SP-5-95-2
Council District: 2

Request For: Stipulation Modification

Reason for Request: Modification of Stipulation No. 1 regarding general conformance to the site plan submitted.

<table>
<thead>
<tr>
<th>Owner</th>
<th>Applicant</th>
<th>Representative</th>
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<tbody>
<tr>
<td>Greenway Parkway, LLC</td>
<td>Pew &amp; Lake, PLC</td>
<td>Pew &amp; Lake, PLC</td>
</tr>
<tr>
<td>1333 2nd Street</td>
<td>1744 South Val Vista Drive, Suite 217</td>
<td>1744 South Val Vista Drive, Suite 217</td>
</tr>
<tr>
<td>Santa Monica CA 90401</td>
<td>Mesa AZ 85204</td>
<td>Mesa AZ 85204</td>
</tr>
<tr>
<td>(310) 566-0670</td>
<td>(480) 461-4670</td>
<td>P: (480) 461-4670 F: <a href="mailto:sean.lake@pewandlake.com">sean.lake@pewandlake.com</a></td>
</tr>
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Property Location: Approximately 154 feet north of northwest corner of 27th Street and Waltann Lane

<table>
<thead>
<tr>
<th>Zoning Map: L-9</th>
<th>Quarter Section: 35-33</th>
<th>APN: 214-40-368A</th>
<th>Acreage: 6.89</th>
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<tr>
<td>Village: Paradise Valley</td>
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<td>Last Hearing: CC RATIFICATION</td>
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<td>Previous Opposition: No</td>
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<td>Date of Original City Council Action: 03/01/1995</td>
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<td>Previous PHO Actions:</td>
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<td>Zoning Vested: R-3 SP and R-3 (Approved R-3 SP)</td>
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<td>Supplemental Map No: 1037</td>
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<td>Planning Staff: 073349</td>
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An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning.mailbox@phoenix.gov or visit our website at http://phoenix.gov/pdd/licensestimes.html.

A Filing Fee had been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover the cost whether or not the request is granted.

<table>
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<tr>
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Signature of Applicant: ___________________________ DATE: 9/6/2018

Hearing Results

<table>
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<th>Planning Hearing Officer</th>
<th>Planning Commission</th>
<th>City Council</th>
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</table>
Sunshine Village (Original Zoning Case No. SP-5-95-2)

PHO for Modification to Stipulations

August 2018

Submitted by:

Sean B. Lake
1744 S. Val Vista Drive, Suite 217
Mesa, AZ 85204
Phone: (480) 461-4670
Email: sean.lake@pewandlake.com
Project Location
The project site is roughly 6.9 acres located at 2624 E. Greenway Parkway just north of the northeast corner of Greenway Parkway and Waltann Ln (APN: 214-40-368C, formerly APNs 214-40-368A and -368B).

Figure 1 Vicinity Map

Request
- **Modification to Stipulations** from Zoning Case No. SP-5-95-2 to allow for 73 units, a maximum of 132 residents.
Background
The subject 6.9 acre site obtained zoning approvals in March 1995. Special Permit (SP-5-95-2) was issued to allow for an Alzheimer's facility of 70 units in the R-3 zoning district. The first phase of the facility was soon constructed on the northern 4.8 acres of the property. Today, Sunshine Village currently serves 84 residents in 49 units at their Phoenix location. The Sunshine Village cottages offers a family-style care that provides comfort to individuals with memory loss.

The second phase is now ready to be constructed and it will consist of an additional 24 units on the southern 1.7 acres of the property. This expansion is intended to accommodate an additional 28 residents for a total of 112 residents (See Attachment 1: Site Plan).

Discussion & Analysis
Although, Special Permit zoning approvals for this type of facility today would consist of a maximum bed count, when the original zoning was reviewed in the mid-1990's, the approval consisted of a maximum number of residents and a maximum number of units. Under Case No. SP-5-95-2 approvals, the maximum unit count was 70, and the maximum resident count is 120.

The proposed units between both phases is now 73. This is due to an increase in the number of private rooms. The original zoning only contemplated 20 private rooms and 50 double rooms, whereas under current conditions, it has been determined that additional private rooms are needed. Today, personal care home facilities have a much higher demand and need for single occupancy rooms than historically, when double rooms were more common.

It was during a second review for final site plan approval this particular Special Permit stipulation was identified as capping the number of units, thereby requiring a modification to the stipulation. As this item was further examined it has been determined that the modification request not only includes modifying the unit count from 70 to 73 units, but also the resident count from a maximum of 120 to 132 residents.

While the initial capacity and resident count is anticipated to be 112 residents, what has been found over many economic cycles, is that depending on the economy, the demand varies for the type of room where mom (or dad) is placed. When the economy is going well there tends to be an extremely high demand for single occupancy rooms, mom's money can go farther and get her into her own room. As the economy turns and is struggling, the demand for double occupancy rooms increase, as dad's money is tighter and the shared room help offset these expenses. Therefore, incorporated with this modification request is a cap of maximum residents to 132, building in the needed flexibility to meet not only the market demand, but to more effectively and successfully serve the elderly population.
Increasing the maximum number of residents from 120 to 132 is only an increase of density from 10.3 DU/AC to 10.59 DU/AC, which remains well below the 14.5 DU/AC density of the R-3 zoning district.

**Proposed Stipulation Modification**

**STIPULATION:**

1. That development shall be in general conformance to the site plan DATE STAMPED AUGUST 31, 2018 and elevations submitted with this application as may be modified to meet required landscape setbacks.

The updated site plan, the requested modifications and the original SP 5-95-2 staff report and approval letter are attached for reference.

**Attachments**

1. Site Plan
2. Modified Stipulation of Approval
3. SP 5-95-2 Approval Letter
March 3, 1995

Pam Porter
David D. & Rochelle E. Fann and
Louis & Mollie Turpin Living Trust
First American Title Insurance Company
10617 N. Hayden Road, Ste. 8107
Scottsdale, AZ 85260

Dear Applicant:

RE: Special Permit 5-95-2

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506.B.4 of the Zoning Ordinance, as amended, has on March 1, 1995, concurred in the recommendation of the Planning Commission and Zoning Hearing Officer and has approved Special Permit 5-95-2 for issuance of a special permit to allow an Alzheimer's facility (70 living units) on approximately 6.91 acres located on the west side of 27th Street, approximately 154.42 feet north of Wattam Lane centerline, subject to a stipulation. Existing zoning is R-3.

STIPULATION

1. That development shall be in general, conformance to the site plan and elevations submitted with this application as may be modified to meet required landscape setbacks.

Sincerely,

Mark A. Steele
Principal Planner

MAS:lg:SP5950301/013000208

c: City Clerk
   Jose Guzman
   Randy Weaver (2)
   Files (2)
   Victor Morrison-Vega, NSD
   Kelly Zak, Site Planning
   Bob Luxton, Sign Enforcement
   Dave Moody, Development Services
   Ben Leonard, Public Transit
   Rick Doell, Building Safety
   Gregory C. Michael, Paradise Plaza, Inc., 3420 E. Shea Blvd. #164, Phx., AZ 85028
EXHIBIT A

Legal Description

LOT 1, PARKWAY MEADOWS, A SUBDIVISION RECORDED IN BOOK 360 OF MAPS, PAGE 19, RECORDS OF MARICOPA COUNTY, ARIZONA.
SUMMARY OF ZONING HEARING OFFICER
JANUARY 30, 1995

ITEM NO: 5

DISTRICT NO: 2

SUBJECT

Special Permit: [5-95-2]

Location: West side of 27th Street, approximately 154.42 feet north of Waltann Lane centerline (approximately 6.91 gross acres)

Request: Rezone from R-3 to R-3 SP; issuance of a special permit to allow a personal care home (Alzheimer's Facility - 70 living units)

ACTIONS

Zoning Hearing Officer Recommendation: It is recommended this request be approved, subject to a stipulation.

Staff Recommendation: It is recommended this request be approved, subject to a stipulation.

Z. H. O. HEARING HIGHLIGHTS

Staff - Mr. Muenker stated this request is consistent with the goals of the General Plan to provide specialized housing to meet the needs of the community. The single-story structures, building setbacks provided, and residential architecture of the facility is compatible with the residential character of the area. All site access is to the Greenway Parkway. Approval is recommended with stipulations.

Applicant - Mr. Marshall Carpenter, representing the applicant, briefly described the proposed development noting that it will be a residential personal care home for Alzheimer's patients. He described similar services provided citywide by the applicant. He noted that there is no neighborhood opposition. The proposed development and density is compatible with the surrounding zoning and residential area. He noted agreement with the staff recommendation and stipulation.

Opposition - None.

ZHO - Ms. Cynthia Standage-Beier discussed the scale of the buildings with the applicant. She noted that the residentially-scaled project will be compatible with the surrounding neighborhood. She questioned the applicant about provided security and wall locations adjacent to the intensely traveled Greenway Parkway. She noted concern for parking lot locations adjacent to residential neighbors and street. She also noted that Development Services would review that as part of stipulation no. 1. She reviewed the landscape stipulation and noted that this is an appropriate location for this type of facility. She noted agreement with the staff recommendation and stipulation.
FINDINGS

1. This request is consistent with the Land Use designation of the General Plan and supports the goals and policies of the Housing and Neighborhood Elements of that plan.

2. Requiring general conformance to the site plan and elevations will insure a residentially-scaled project compatible with the surrounding neighborhood.

3. That access to the site is only from the Greenway Parkway.

RECOMMENDATION

It is recommended this request be approved, subject to a stipulation.

STIPULATION

1. That development shall be in general conformance to the site plan and elevations submitted with this application as may be modified to meet required landscape setbacks.

The Zoning Hearing Officer attests to the finding of facts, recommendation, and any stipulations resulting from the Zoning Hearing Officer hearing.

FM Listening Systems or Qualified Sign Language Interpreters are available with 72 hours notice. Materials in alternate formats (large print, braille, audio cassette or computer diskette) are available upon request. For further information call the Planning Department, Theresa Damiani, at Voice number 262-6368 or Fax number 495-3793 or City TDD Relay/534-5500.