TO: CASA GRANDE PLANNING AND ZONING COMMISSION
FROM: Joseph Horn, City Planner
MEETING DATE: August 6th, 2015

REQUEST

Request by Roberta Howard of NAZCARE, Inc., for the following land use request:

1. **DSA-15-00089: Conditional Use Permit** to allow for the operation of an Adult Group Home with a maximum of ten residents on an I-2 Zoned property located at 846 W. Cottonwood Lane, APN 504-14-028L: (Planner Joe Horn)

APPLICANT/OWNER

Roberta Howard, NAZCARE, Inc.  NAZCARE, Inc.
599 White Spar Road  599 White Spar Road
Prescott, AZ, 86303  Prescott, AZ, 86303
Email: rhoward@nazcare.org  Email: rhoward@nazcare.org

HISTORY

June 1, 2000: A zone Change from R-1 to I-2 was approved. CGPZ-55-00 A Conditional Use Permit was approved for a Group Home with a maximum limit of 10 children (Foster Home). CGPZ-56-00.

September 7, 2012: A Legal Non-Conforming Use Determination was approved for a group home. DSA-12-00074

PROJECT DESCRIPTION

<table>
<thead>
<tr>
<th>Site Area</th>
<th>0.61 acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Land Use</td>
<td>Manufacturing/Industry</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>I-2 General Industrial</td>
</tr>
</tbody>
</table>

Surrounding Land Use and Zoning

<table>
<thead>
<tr>
<th>Direction</th>
<th>General Plan 2020 Designation</th>
<th>Existing Zoning</th>
</tr>
</thead>
</table>
The Applicant is requesting the approval of a Conditional Use Permit for an existing building on a 0.61-acre parcel. The City Code permits Charity Dining Facility, Homeless Shelter, and Similar Services uses on a Conditional Use basis in the I-2 zone district. Although the proposed transitional housing home for adults is not specifically listed as a permitted or conditional use in the I-2 zone district staff finds that this use is similar enough in nature to a “Homeless Shelter and Similar Services” to be treated equivalently under the code as a use that may be located within the I-2 zone district subject to Conditional Use approval. The site was previously granted a Conditional Use Permit for a Group Home (Foster Home) on June 1, 2000 (CGPZ-56-00) and granted a Legal Non-Conforming Use Determination allowing the continued use of the home as a Group Home for a foster home for a maximum of 10 children in September 7, 2012 (See Exhibit A). The need for a new Conditional Use Permit is due to a change in use from
a foster home housing children to a group home for transitional housing and recovery support services for adults with serious mental illness.

The NAZCARE wellness center facility is proposed to serve between 3 to 10 people daily, with the housing portion supporting 6 beds. The goal is to provide a housing program and out-patient support services for people with serious mental illness who have been chronically hospitalized and chronically homeless. It will provide independent life skills in a two year time-frame and transition them into permanent housing. (See Exhibit B)

### CONFORMANCE WITH CONDITIONAL USE PERMIT REVIEW CRITERIA

*The Planning and Zoning Commission, in approving a Conditional Use Permit, shall find as follows:*

**That the site for the proposed use is adequate in size and topography to accommodate the use, and all yards, spaces, walls and fences, parking, loading and landscaping are adequate to properly relate the use with the land and uses in the vicinity:**

Staff finds that the proposed use is adequate in size and topography to accommodate this use. The proposed plan’s setbacks, parking and landscaping are adequate in size and comply with the City’s minimum requirements.

**That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use:**

The Applicant is not increasing any traffic to the site and all relations to streets are remaining as is. No TIA (Traffic Impact Analysis) is required for this application.

**That the proposed use will have no adverse effect upon the abutting property:**

No adverse effect upon abutting property is foreseen. The existing use to the west and to the north is industrial (auto repair and salvage). The existing use east is a commercial complex hosting a variety of tenants with the rear of the property facing the proposed recovery center. And, the existing property to the south is currently undeveloped and going through a proposed zone change from R-1a (Single Family Residential) to R-3 (Multi-Family Residential).

There is sufficient parking on site to accommodate the use.

**That the proposed use shall be in conformance with the General Plan:**

The designated land use per the General Plan for this site is *Manufacturing/Industry* (see map below) which allows I-2 zoning (General Industrial). Although typically residential uses are not located within industrial zone districts the I-2 zone does allow Charity Dining Facilities, Homeless Shelters, and Similar Services uses on a Conditional Use basis. As noted above, staff has made a similar use determination that the
proposed group home for transitional housing is also allowed within the I-2 zone district on a Conditional Use basis.

That the conditions stated in the approval are deemed necessary to protect the public health, safety and general welfare.

The conditions of approval of this Conditional Use Permit are as follows:

1. That the facility be limited to ten or fewer adult residents.
2. Wellness Center is limited to providing services to a maximum of 10 adults daily.

**General Plan Map**

**CONFORMANCE WITH CONDITIONAL USE PERMIT REVIEW CRITERIA SPECIFICALLY FOR CHARITY DINING FACILITIES, HOMELESS SHELTERS AND SIMILAR SERVICES (17.24.030)**

1. New facilities and services should be located in a manner that is compatible with area uses.

See above response
2. **Facilities and services shall be designed in such a way and operated in such a manner which treats all participants with dignity and respect through the provision of a sanitary, healthy and safe environment including rest rooms, drinking water and seating areas.**

   Tenants will be provided their own private rooms to provide a sense of security and ownership of their surroundings. There will be multiple restrooms within the facility. There will also be common areas that include, a kitchen, dining room, laundry room, and common sitting areas.

3. **Service providers shall provide a written plan to the city including operational policies and procedures. This plan shall include, as applicable, whether facility is a permanent or temporary location, hours/days of operation, sanitation/health considerations, loitering control, safety provisions and other pertinent information. An operational guideline is available for assistance in preparation of this plan.**

   A NAZCARE Renter’s Handbook and Curriculum has been provided to the City. It is attached to the file and available upon request.

4. **Shelters offering overnight sleeping facilities shall provide at least thirty square feet of usable open space per each bed. This open space must be enclosed by appropriate screening.**

   A 10 bed facility would require 300 sq. ft. of open space. The rear yard of the facility provides approximately 4,000 sq. ft. of open space.

5. **Facilities shall contain rest rooms meeting requirements set forth in Appendix C of the Uniform Building Code.**

   N/A

6. **Facilities shall provide rest rooms within the facilities with at least one rest room for men and one for women.**

   The facility will provide 3 restrooms. One restroom for men, one restroom for women and one common restroom.

7. **Service providers providing food shall serve such meals within buildings or enclosed areas. When meals are served outside, screening shall be provided that separates the eating area from public view, i.e., wall, fencing, landscaping consistent with existing neighborhood standards.**

   Tenants will share the kitchen area and be responsible for their own meals. The rear yard has a block wall screening the view from the rear patio.
8. Service providers which frequently have people waiting outside for services shall provide an adequate waiting area which shall be screened from public view, i.e. wall, fencing, landscaping consistent with existing neighborhood standards.

The Facility does provide a Family Room area for any individuals who may be waiting to receive any support services or visit any residents. Wellness Center will serve a maximum of 10 adults daily.

9. All service providers shall require participants and others to wait or sleep in designated and approved areas;

All tenants are required to sleep in their private rooms only. The Facility does provide a Family Room area for any individuals who may be waiting to receive any support services.

PUBLIC NOTIFICATION/COMMENTS

Notification
Public hearing notification efforts for this request meet and exceed those requirements set out by City Code. They include:

- A notice was published in the Casa Grande Dispatch on July 22, 2015 for the August 6, 2015 Planning and Zoning Commission public hearing.
- Notice was mailed by the City of Casa Grande on July 20, 2015, more than fifteen days before the day of the hearing to each owner of property situated within 300 hundred feet of the subject property. The names and addresses of the owners were provided by the City of Casa Grande per Pinal County Ownership Data. An affidavit confirming this mailing was supplied by the City.
- A sign was posted by the Applicant on July 22, 2015 on the subject site. An affidavit confirming this posting has been supplied.

Inquiries/Comments
Staff has not received any inquiries or comments on the proposed development.

RECOMMENDED MOTION

Staff recommends approval of DSA-14-00089 (Conditional Use Permit), subject to the following conditions:

1. That the facility be limited to ten or fewer adult residents.
2. Wellness Center limited to providing services to a maximum of 10 adults daily.
Exhibits

Exhibit A – Non-Conforming Use Determination
Exhibit B- Applicant Narrative
Exhibit C- NAZCARE response to Charity Dining, Homeless Shelter, and Similar Services review criteria
Exhibit D- Floor Plan
Exhibit E- Resolution
Exhibit A
Non-Conforming Use Determination

Project Name: Group Home (CGPZ-56-00)

Address: 846 West Cottonwood Lane

APN(s): 504-14-0270

Non Conforming Land Use: Group Home

Applicable Non-Conforming Use Regulation(s):

17.64.010. A. Any structure or use lawfully existing upon the effective date of the ordinance codified in this title may be continued at the size and in the manner of operation existing upon such date except as hereinafter specified.

17.64.101. E. Whenever a lawful nonconforming use of a building or structure or land is discontinued for a period of ninety days, any future use of the building or structure or land shall be in conformity with the provisions of this title.

Non-Conforming Use Decision:

The Group Home located at 846 W. Cottonwood Lane was granted a Conditional Use by the Casa Grande Planning and Zoning Commission on June 1, 2000 (CGPZ-56-00). The property was zoned R-1 at the time of the Conditional Use approval. The Group Home property was subsequently rezoned, via a City initiated rezoning process into an I-1 a zone district in which Group Homes are not allowed as either a Principal Permitted or as a Conditional Use. A Group Home was continuously operated at 846 W. Cottonwood Lane, from the time of Conditional Use approval until the end of 2009 when the Group Home operator shut down their facility due to a loss of state funding. The property owner has informed City Staff that since the termination of the lease by the prior Group Home operator he has been actively renovating the structure and negotiating with another organization to lease the premises to operate a Group Home. The property owner’s actions to renovate the structure for group home use and to actively engage in lease negotiations with a Group Home provider are evidence that there was no intent to discontinue or abandon the Group Home use and therefore the Non-Conforming status has been maintained.

As a legal non-conforming use this development is subject to all other rights, restrictions and limitations as set forth in section 17.64.10 of the Casa Grande Zoning Code.

Paul R. Tice II, AICP
Planning and Development Director

www.casagrandeaz.gov
Exhibit B
Applicant:
NAZCARE Inc.
599 White Spar Rd
Prescott, AZ 86303

Description of Use:

Please view the attached map showing use of building. NAZCARE currently has a business license in Casa Grande for our Desert Rose Wellness Center operating further down the same street of Cottonwood Lane at 901 E Cottonwood Ln Ste. A (BL-14-57229). We are moving our Desert Rose Wellness Center to our new location at 846 W Cottonwood Lane and adding housing.

In addition, we would like to continue the home use for which this location at 846 W Cottonwood Lane has been approved for before. It is located next door to and surrounded by Dave’s Collision Specialists. Dave is the owner for whom the group home use was previously approved and whom we purchased this building from for use as supportive housing for people with behavioral health issues.

Our requirements for housing clients are that each client meets minimum income requirements to participate, is stable, independent in self-administration of medicine, independent in activities of daily living and we wrap recovery support services and adult life skills around tenant for a two year service.

Our team approach wraps our Desert Rose Wellness Center services around housing clients to provide an array of support services to move a tenant into permanent housing, employment and sustainable, long-term recovery.

Other Information:

As stated NAZCARE already has been operating its Desert Rose Wellness Center near this location for some time. In addition, NAZCARE also has excellent experience and success with local communities in offering supportive housing services in various parts of the state along with other Wellness Centers throughout the state. We are a state and federal best practice housing program. Operating a group home is not a new business for us, we have been doing this for many years. This is a very successful model for clients and the community because we are able to provide the full support services of a wellness center to those who need housing as well.

Note on Conceptual Site Plan

There are no special conditions, utilities or needs for this site location. It’s condition and configuration for prior authorized conditional use is sufficient.
Exhibit C
July 7, 2015

Roberta L. Howard, CEO

TO: City of Casa Grande Planning & Zoning
RE: Desert Rose Wellness Center Conditional Use Permit

Charity Dining Facilities, Homeless Shelters and Similar Services

NAZCARE’s Wellness Center serves between 3 to 10 people daily with some weekend and extended hours until 8 in the evening. The housing portion would have no more than 6 beds. The methodology in tour best practice housing program is to wrap recovery support services around people with serious mental illness who have been chronically hospitalized and chronically homeless to stabilize, provide independent life skills in a two year time-frame and transition into permanent housing. The housing is co-located on the same site on within a site to produce maximum services, support in a safe environment to recovery and wellness.

1. The facility, Desert Rose, is presently located at 901 E. Cottonwood in a business area and the present location was a previous shelter. The uses are compatible with the area and with all businesses in the area. The former owner’s business is next door and a meeting with all surrounding business was made prior to purchase.

2. The wellness center area and housing tenants’ rooms will have boundaries with a secure door between the common use areas: kitchen, dining room, laundry room and one restroom and the tenants’ private rooms and tenant common areas to allow for privacy and security for housing tenants. There will be a private restroom, common sitting areas and entrance way for tenants that only tenants and staff will have access to. Tenant guest must enter through the tenants’ entrance and not through the door separating the areas – which will the off the kitchen area. This will immediately be added once the CUP is approved. The wellness center will have separate entrances that do not go through the tenants’ living areas.

3. Desert Haven/Desert Rose Wellness Center has a written Handbook which we are providing as an attachment to this letter. We are buying the property so this is a permanent location. The housing is considered a permanent housing location but it is considered a “step down” program meaning that after two years the person should be able to reside in independent, permanent housing. The Wellness Center will continue as an Integrated Wellness Center with funding through Cenpatico.

- Wellness Center hours of operations are M-Sat. 9-3 with some ended evenings and extended hours for activities and Community-Based groups like: NAMI, SMART, Veterans Support, etc.
- Housing is 24/7 with guest being allowed 9 AM to 10PM.
There is to be no loitering around the facility and NAZCARE utilizes a security company to check on the property.

4. The housing portion is designed to allow each person his/her own room. No double occupancy will occur unless a spouse or parenting situation and then DES must approve the living situation.

5. & 6. Desert Rose will have restrooms within the facility and one designated men’s and one designated women’s. There is also a great deal of space designated as meeting rooms and common use area rooms. Staff will have a common use area outside the laundry room as an office and meeting place to meet with tenants. The entrance area will be a common use area and the area between the entrance area and kitchen will be a common meeting area with a large common living room.

7. Tenants will share the kitchen area but tenants will have a designated refrigerator and freezer specific for their use in the area outside the laundry room. All tenants are responsible for their own meals; none are prepared for them but a curriculum of Adult Life Skills does teach cooking skills to tenants. There is a back patio which a BBQ and benches will be set up for tenants and another for clients of the wellness center. A large brick walls blocks the view of this from any business of facility.

8. AS a service provider we do 90% of the transportation of our clients. Any one waiting for a client will have a designated are in the staff offices and anyone waiting for a tenant will waiting in the entrance way of the tenants’ entry to their living area. All waiting areas are within the building. There is a designated smoking area 50 feet away from the building not visible from the street or others businesses.

9. All tenants are allowed to sleep in their rooms only and no over-night guests are allowed.
Exhibit D
Exhibit E
RESOLUTION NO. DSA-15-00089

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF CASA GRANDE GRANTING A CONDITIONAL USE PERMIT FOR AN ADULT GROUP HOME PROVIDING TRANSITIONAL HOUSING AND SUPPORT SERVICES WITHIN THE GENERAL INDUSTRIAL (I-2) ZONE LOCATED AT 846 W COTTONWOOD LANE, CASA GRANDE, ARIZONA,

WHEREAS, applicant Roberta Howard of NAZCARE, Inc. has requested a conditional use permit;

WHEREAS, the conditional use permit is requested for a transitional housing group home with recovery support services at 846 W Cottonwood Ln;

WHEREAS, the property is zoned General Industrial (I-2);

WHEREAS, a Transitional Housing Adult Group Home with a maximum of ten residents is considered a similar use as Charity Dining, Homeless Shelters, and Similar Services;

WHEREAS, a Transitional Housing Group Home is considered to be a conditionally permitted use within the General Industrial (I-2) zoning district;

WHEREAS, on the 6th day of August 2015, the Planning and Zoning Commission of the City of Casa Grande held a public hearing regarding the request for the conditional use permit;

WHEREAS, the Planning and Zoning Commission of the City of Casa Grande considered all public comments made at said hearing; and

WHEREAS, the Planning and Zoning Commission of the City of Casa Grande has determined that the proposed use would be appropriate for the location proposed, subject to the conditions set forth in this Resolution;

NOW THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the City of Casa Grande, Arizona, as follows:

1. The Planning and Zoning Commission of the City of Casa Grande makes the following findings:
a. The site for the proposed use is adequate in size and
topography to accommodate the use, and all yards, spaces,
walls and fences, parking, loading and landscaping is adequate
to properly relate the use with the land and the uses in the
vicinity;

b. The site for the proposed use relates to streets and highways
adequate in width and pavement type to carry the quantity and
kind of traffic generated by the proposed use;

c. The proposed use will have no adverse effect upon the abutting
property;

d. The proposed use is in conformance with the General Plan; and

e. The conditions stated in this approval are necessary to protect
the health, safety and general welfare.

2. The Planning and Zoning Commission of the City of Casa Grande
approves the conditional use permit by the Applicant subject to the
following specific conditions:

a. That the facility be limited to ten or fewer adult residents.

b. Wellness Center is limited to providing services to a maximum of ten adults
daily.

3. The Planning and Zoning Commission of the City of Casa Grande approves the
conditional use permit request by the Applicant subject to the following general
conditions:

a. The granting of this Conditional Use does not relieve applicant from
compliance with applicable building codes and other applicable regulations
such as occupancy requirements and signage.

b. That the special conditions shall constitute restrictions running with the land
and shall be binding upon the owner of the land, his successors and assigns.

c. That all conditions specifically stated under any conditional use listed in this
chapter shall apply and be adhered to by the owner of the land, his successors
or assigns.

d. That the special condition shall be consented to in writing by the applicant.

e. That the resolution granting the application, together with all consent forms,
shall be recorded by the county recorder.
PASSED AND ADOPTED by the Planning and Zoning Commission of the City of Casa Grande, Arizona, this ____ day of ______, 2015.

__________________________________________
P & Z Commission Chairman

__________________________________________
Planning & Development Director

ATTEST: 

__________________________________________
City Clerk

APPROVED AS TO FORM:

__________________________________________
Assistant City Attorney

APPLICANT and OWNER’S CONSENT TO THE SPECIAL CONDITIONS
The applicant and owner, hereby consent to the special conditions as enumerated above in Section 2 as they relate to this request for a conditional use permit for an Adult Group Home use at 846 W Cottonwood Lane, Casa Grande, AZ.

_________________________
Roberta Howard, NAZCARE, Inc.
Owner

Site Plan of Property