



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: AUGUST 18, 2020

FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT WARD: 3

SUBJECT: P19-0570 CONDITIONAL USE PERMIT AND P19-0571 VARIANCE – A REFERRAL BY COUNCILMEMBER FIERRO OF A DENIAL BY THE CITY PLANNING COMMISSION TO LEGALIZE THE EXPANSION OF AN ASSISTED LIVING FACILITY (BLESSED ELDER CARE) FROM 6 TO 12 INDIVIDUALS – LOCATED AT 5041 SIERRA STREET

ISSUE:

Referral by Councilmember Fierro of a denial by the City Planning Commission of a proposal by Ray Martinez of RAM Designs for a Conditional Use Permit to legalize the expansion of the Assisted Living Facility (Blessed Elder Care Inc.) from 6 to 12 individuals and a Variance to allow fewer parking spaces than required by the Zoning Code on 0.28 acres, located at 5041 Sierra Street, situated on the north side of Sierra Street between Palomar Way and Coronado Way.

RECOMMENDATIONS:

That the City Council:

1. Determine that the project is exempt from the California Environmental Quality Act pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines, as the project will not have a significant effect on the environment; and
2. Approve Planning Cases P19-0570 Conditional Use Permit and P19-0571 Variance, based on the findings outlined in the staff report and subject to the conditions of approval.

PLANNING COMMISSION DETERMINATION:

On June 25, 2020, the City Planning Commission denied Planning Cases P19-0570 Conditional Use Permit and P19-0571 Variance by a vote of 5 ayes, 3 noes and 0 abstentions.

BACKGROUND:

The 0.28-acre project site was developed in 1953 with a single-family residence and an attached single car garage. In 1996, building permits were issued to increase the total area of the residence

to 3,848 square feet and convert the residence into an assisted living facility for up to 6 individuals. In 2010, the facility obtained a license from the State of California Department of Social Services to increase the capacity from 6 to 12 individuals.

On June 25, 2020, the City Planning Commission considered a Conditional Use Permit and Variance to legalize the assisted living facility expansion. Commissioners expressed concerns with the proposed number of parking spaces and traffic impacts during the middle school drop-off and pick-up times and ultimately denied the project.

On July 1, 2020, Staff received a request from Councilmember Fierro to refer the project for consideration by City Council (Attachment 3).

DISCUSSION

The proposed project includes a Conditional Use Permit to legalize the expansion of the assisted living facility from 6 to 12 ambulatory and non-ambulatory occupants, 60 years of age and older; and a Variance to allow 4 on-site parking spaces, where 6 spaces are required by the Zoning Code.

The facility includes 12 beds in 7 rooms (5 double rooms and 2 single rooms), a dining room, living room, kitchen, family room, staff bedroom, storage room, and laundry room. The project site provides common open space areas, consisting of indoor and outdoor recreation areas. Site improvements include the removal of a 144 square-foot covered breezeway, located between the existing garage and storage shed, and the construction of a 72 square-foot laundry room within the existing garage.

Personnel at the facility includes two staff members who provide 24-hour care, supervision to occupants, and assist with daily living activities. Visiting hours are scheduled by appointment seven days a week between 9:00 a.m. and 7:00 p.m. The garage and one parking space on the existing driveway will be reserved for staff parking while the remaining two parking spaces will be available for visitors.

The proposed project complies with the site location, operation and development standards applicable to assisted living facilities, with the exception of parking. The Zoning Code requires assisted living facilities to provide 0.5 parking spaces per bed. The 12 beds in the facility requires a total of 6 parking spaces. The project site can accommodate a total of 4 on-site parking spaces (3 parallel parking spaces and 1 garage space). A Variance for reduced number of parking was requested. Staff supports the Variance, as the clients of the facility do not drive. Visiting hours are scheduled by appointment only and there are limited vehicles on-site at any given time.

The proposed assisted living facility provides options for care for the residents of the City of Riverside and will not negatively impact the surrounding uses. The land uses surrounding the proposed project include single family residences. Sierra Middle School is to the east of the site. Records show that there have been no complaints regarding the operation of this facility.

For additional background, please refer to the June 25, 2020, City Planning Commission staff report, recommended conditions of approval and minutes (Attachments 1 and 2).

Public Comments

Following publication of the Planning Commission Staff Report, staff received 6 letters of support for the project. Comments received expressed support of the facility's operation, security, and

management (Attachment 4).

FISCAL IMPACT:

There is no fiscal impact, since all project costs are borne by the applicant.

Prepared by: David Welch, Community & Economic Development Director
Certified as to
availability of funds: Edward Enriquez, Chief Financial Officer/City Treasurer
Approved by: Rafael Guzman, Assistant City Manager
Approved as to form: Gary G. Geuss, City Attorney

Attachment:

1. City Planning Commission Staff Report– June 25, 2020
2. City Planning Commission Minutes – June 25, 2020
3. Referral Request from Councilmember Fierro
4. Comment Letters
5. Presentation