



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: November 24, 2004 REPORT NO. HO -04-185

ATTENTION: Hearing Officer

SUBJECT: CASEMAN RESIDENTIAL CARE
PROJECT NUMBER: 2332

LOCATION: 3993 Caseman Ave.

APPLICANT: Ernesto Liwag

SUMMARY

Requested Action - Should the Hearing Officer approve a Conditional Use Permit to increase an existing six-unit residential care facility for the elderly to an 10-unit residential care facility on a 5280 sq. ft. site located at 3993 Caseman Avenue in the RS-1-7 Zone, of the Otay Mesa-Nestor Community Plan area?

Staff Recommendation -

APPROVE an application for Conditional Use Permit No. 5294 with conditions (attachments 6 and 7)

Community Planning Group Recommendation - On June 12, 2002, the Otay Mesa-Nestor Community Planning Committee voted 13-0-0 to approve the project with no conditions.

Environmental Review - The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301, existing facility.

BACKGROUND

The residential care facility is located at 3993 Caseman Avenue and is within the Otay Mesa-Nestor Community Planning area. The site is designated residential at a density of 5-10 dwelling units per acre. The proposed request for interior modification to expand a six bed residential care facility to ten beds would not adversely affect the community plan. The site is zoned RS-1-7

(single family) and is bounded by single family residential dwellings to the north, south, east, and west.

A Conditional Use Permit is required as San Diego Municipal Code section 141.0312 states that a Residential Care Facility with 7 to 12 requires a Process 3 Conditional Use Permit decided in accordance with a Process three hearing decision.

DISCUSSION

The proposed project is a Conditional Use Permit to expand an existing residential care facility from six beds to ten beds. The existing facility has been in operation since 1989 and is currently used to house up to six senior citizens. Residential Care Facilities are considered a residential use in accordance with San Diego Municipal Code (SDMC) section 131.0515 and are allowed by right without specific Residential Care Facility regulations if the facility contains fewer than seven beds as identified pursuant to SDMC 141.0312. No additions or expansions are proposed to the existing foot print of the home. However interior modifications are required including partition walls to be removed and relocated, bathrooms updated to improved accessibility.

The project must comply with the supplemental Residential Care Facility regulations identified in SDMC section 141.0312. These regulations include minimum living space requirements, specific bathroom and storage requirements, and the requirement that the facility shall not be located closer than ¼ mile from another Residential Care Facility. The project complies with all of these regulations. The use of this site for a Residential Care facility is consistent with the existing residential character of the surrounding area and is in accordance with land use designations of the RS-1-7 zone and the Otay Mesa-Nestor Community Plan.

Conclusion

Staff has reviewed the proposed Conditional Use Permit and has determined the project is in conformance with the applicable sections of the San Diego Municipal Code Sections. Staff has determined the required findings can be supported as the project meets the applicable San Diego Municipal Code requirements regulating multi dwelling development, staff recommends approval of the project as proposed.

ALTERNATIVE

1. Approve Conditional Use Permit No. 5294, with modifications.
2. Deny Conditional Use Permit No. 5294, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

William Zounes, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan(s)
6. Draft Permit with Conditions
7. Draft Resolution with Findings
8. Ownership Disclosure Statement
9. Project Chronology