



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: October 16, 2009 **REPORT NO. PC-09-132**

ATTENTION: **Planning Commission, Agenda of October 22, 2009**

SUBJECT: NATIONAL CROSSROADS – PROJECT NO. 134470, Process 4.

REFERENCE: Planning Commission Report No. PC-97-064

**OWNER/
APPLICANT:** Imperial Pacific Properties, LLC. (Attachment 12)

SUMMARY

Issue(s): Should the Planning Commission approve an amendment to Southeast San Diego/Conditional Use Permit No. 96-7113 to allow an existing 77-bed correctional placement center for women and women with children to operate for an additional 10 years within the Southeastern San Diego Community Planning area?

Staff Recommendation: Approve Conditional Use Permit No. 468066 with conditions (Attachment 6).

Community Planning Group Recommendation: The Encanto Neighborhoods Community Planning Group reviewed this project at their meeting of April 21, 2008, and voted unanimously (12-0-0) to recommend approval with no conditions (Attachment 11).

Environmental Review: The project is exempt from the California Environmental Quality Act pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines. This project is not pending an appeal of the environmental determination. This project was determined to be categorically exempt from the California Environmental Quality Act on November 14, 2007 and the opportunity to appeal that determination ended December 7, 2007.

Fiscal Impact Statement: None associated with this action. All costs associated with the processing of this project are paid by the applicant.



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Code Enforcement Impact: None associated with this action.

Housing Impact Statement: None associated with this action.

BACKGROUND

The 36,090-square-foot project site is located at 4991 & 4997 Imperial Avenue on its north frontage and at 4990 Holly Drive on its south frontage, within the Lincoln Park Neighborhood of the Encanto Neighborhoods Community Planning area, within the Southeastern San Diego Community Plan (Attachments 1, 3). The project is also located within the Central Imperial Redevelopment Project Area. Surrounding development includes a mix of older commercial uses and vacant lots to the north, east and west, and residential, religious and educational uses to the south across Holly Drive.

In May of 2009, the 5th Amendment to the Central Imperial Redevelopment Plan and Southeastern San Diego and Skyline-Paradise Hills Community Plans were adopted by the City Council and Redevelopment Agency on behalf of the Southeastern Economic Development Corporation, revising the land use and zoning in a number of areas of these communities (Attachment 10). The project site was re-designated from General Commercial to Multi-Family Residential (15-30 DU/AC) land use and rezoned from a combination zone of Southeastern San Diego Planned District Ordinance SESD-CSF-2 and SESD-CSF-1 to the city wide RM-2-5 zone (Attachment 2). The site is no longer zoned as being within the Southeastern San Diego Planned District.

A 77-bed correctional placement center (also known as a work-furlough facility) for women and women with children, currently operates at the site within three (3) existing structures totaling 17,212 square feet, under the terms of Southeast San Diego Development Permit/Conditional Use Permit (CUP) No. 96-7113, approved by the Planning Commission on May 8, 1997 (Attachment 10). The facility began operations in 1989 under the name "California Mother-Infant" through CUP No. 89-0395, which allowed a 42-bed work-furlough facility for women offenders and their children up to the age of six years old, on a portion of what currently comprises the project site (4990 Holly Drive and 4997 Imperial Avenue). An amendment was approved by the Planning Commission in 1994 through SESD/CUP No. 91-0123, which allowed the facility to construct a new, two-story 10,711-square-foot building on the adjacent parcel (4991 Imperial Avenue), thereby relocating operations from the original site to the site immediately next door to the east. The CUP was amended again on May 8, 1997 to incorporate all three properties into the project scope and increase the capacity of the facility from 42 to 77 beds (37 for women with children, and 40 for women without children), and included a time limitation of 10 years. This amendment also established that the existing use more closely fit the definition of a correctional facility and was subject to Resolution R-279736 titled "*Correctional Placement Center Requirements*" adopted by the City Council April 7, 1992, and later codified by incorporation into the Land Development Code (effective 01-01-2000). Section 141.0406 of the San Diego Municipal Code (*Correctional Placement Centers*) allows work-furlough facilities to be

permitted with a Conditional Use Permit (CUP) in accordance with Process 4 subject to certain criteria being satisfied (Attachment 8). The proposed project is a request for an amendment to allow the continued operation of the facility for an additional 10 years to expire on October 22, 1019.

DISCUSSION

Project Description: The National Crossroads operation provides a residential facility for non-violent female offenders. According to the applicant's website (www.nationalcrossroads.com), National Crossroads contracts with the California Department of Corrections to provide parolee services for women, and their stated mission is "to provide female parolees with residency, support services and resources that enable successful reintegration into the community." Available accessory services include individual, group and family reunification, stress management, victim awareness, life skills, money management, substance abuse/relapse prevention, job search training/placement and domestic violence classes. The project is a request for an amendment to SESD/CUP No. 96-7113 to allow an existing 77-bed correctional placement center to continue to operate for another 10 year timeframe. No other changes to the operations of the existing facility are proposed with this amendment.

The site is improved with parking areas providing 27 parking spaces, which exceeds the 23 parking spaces required for the 12 staff persons per shift and 77 residents at the facility (1 space/employee on shift and 1 space/7 beds). Vehicular access to the facility is off Imperial Avenue on the north frontage of the property and Holly Drive at the southern frontage. Minor physical changes to the site are required to update the parking facilities and right-of-way areas consistent with current City standards, including the dedication of 2-feet of property for right-of-way purposes on the Imperial Avenue frontage. The existing driveway at 4991 Imperial Avenue will be reconstructed, the existing driveway leading to a non-standard parking area at 4997 Imperial Avenue will be closed and reconstructed with new curb and sidewalk, and the on-site parking lot pavement will be removed. Staff determined that due to a lack of vehicular turnaround area, the current practice of backing vehicles out onto Imperial Avenue, a major roadway through the community, is a public safety issue. The right-of-way along Holly Drive is currently unimproved, and the project will be required to participate in future upgrades as the neighborhood redevelops. Bicycle racks will be added and fencing will be removed out of the visibility areas at the driveways.

Staff Analysis/SDMC Development Standards: Section 141.00406 of the San Diego Municipal Code allows for correctional placement center development through the Conditional Use Permit process, subject to certain criteria being satisfied. The existing facility meets all current criteria, except it is previously conforming with respect to locational criteria requiring correctional placement centers to be separated a minimum of 1,000 feet from schools, and a minimum of 600-feet from residentially zoned property. Specifically, Holly Drive Leadership Academy, a K-8 charter school, is located immediately across the street to the south, Lincoln High School is located approximately 330 feet to the west, and Saint Rita's Elementary School is located approximately 640 feet east of the project site. As discussed previously, the project site and other properties in the

vicinity were recently rezoned from the CSF-1 and CSF-2 zones (commercial) to the RM-2-5 zone (multi-family residential). The project does not propose new development or a change in use, and there are no known issues relative to its current operations. Excepting the locational criteria noted above, the project will comply to the maximum extent feasible with the regulations of the Land Development Code. Excepting the locational criteria, the project meets all other applicable regulations pertaining to correctional placement centers under Section 141.0406 of the San Diego Municipal Code (SDMC). These regulations address facility design, location and operations, parking, staff training, security, resident capacity and resident selection criteria (Attachment 8).

Community Plan Analysis: The Southeastern San Diego Community Plan was recently amended as part of the 5th Amendment to the Central Imperial Redevelopment Plan and Southeastern San Diego and Skyline-Paradise Hills Community Plans, adopted by the City Council and Redevelopment Agency on behalf of the Southeastern Economic Development Corporation in May 2009. As a result the project site was re-designated from General Commercial to Multi-Family Residential (15-30 DU/AC) land use and rezoned from a combination zone of Southeastern San Diego Planned District Ordinance SESD-CSF-2 and SESD-CSF-1 to the city wide RM-2-5 zone. The existing facility has been operating without incident in the neighborhood for twenty years, and provides needed services for female parolees including residency, support services and resources that enable successful reintegration into the community and reunification of families. The SDMC does not specify a time limit to be applied to correctional placement centers, and the applicant has requested that no time frame be imposed on the project. However, staff recommends a 10 year operating timeframe for the project, as it is anticipated that the context of the neighborhood will change over time and that there should be an opportunity to review and modify the CUP to impose new project conditions or modify existing project conditions as might be needed to address anticipated redevelopment of the area. No adverse affects to the Southeastern San Diego Community Plan are anticipated as a result of the proposed continuation of operations of the correctional placement facility for an additional 10 year timeframe.

CONCLUSION

Other than the public improvement upgrades to the driveways, curb and sidewalk along Imperial Avenue, the project does not propose any new development or a change in use, and there are no known issues relative to its current operations. Staff recommends support of the proposed amendment to SESD/CUP No. 96-7113 to allow the existing 77-bed correctional placement center to continue to operate for another 10 year timeframe.

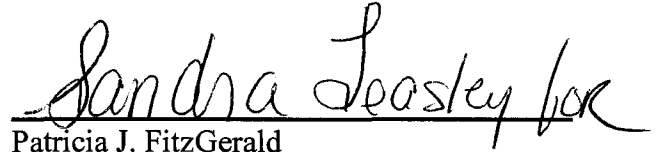
ALTERNATIVES

1. **Approve** Conditional Use Permit No. 468066, with modifications.
2. **Deny** Conditional Use Permit No. 468066, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Patricia J. FitzGerald
Development Project Manager
Development Services Department

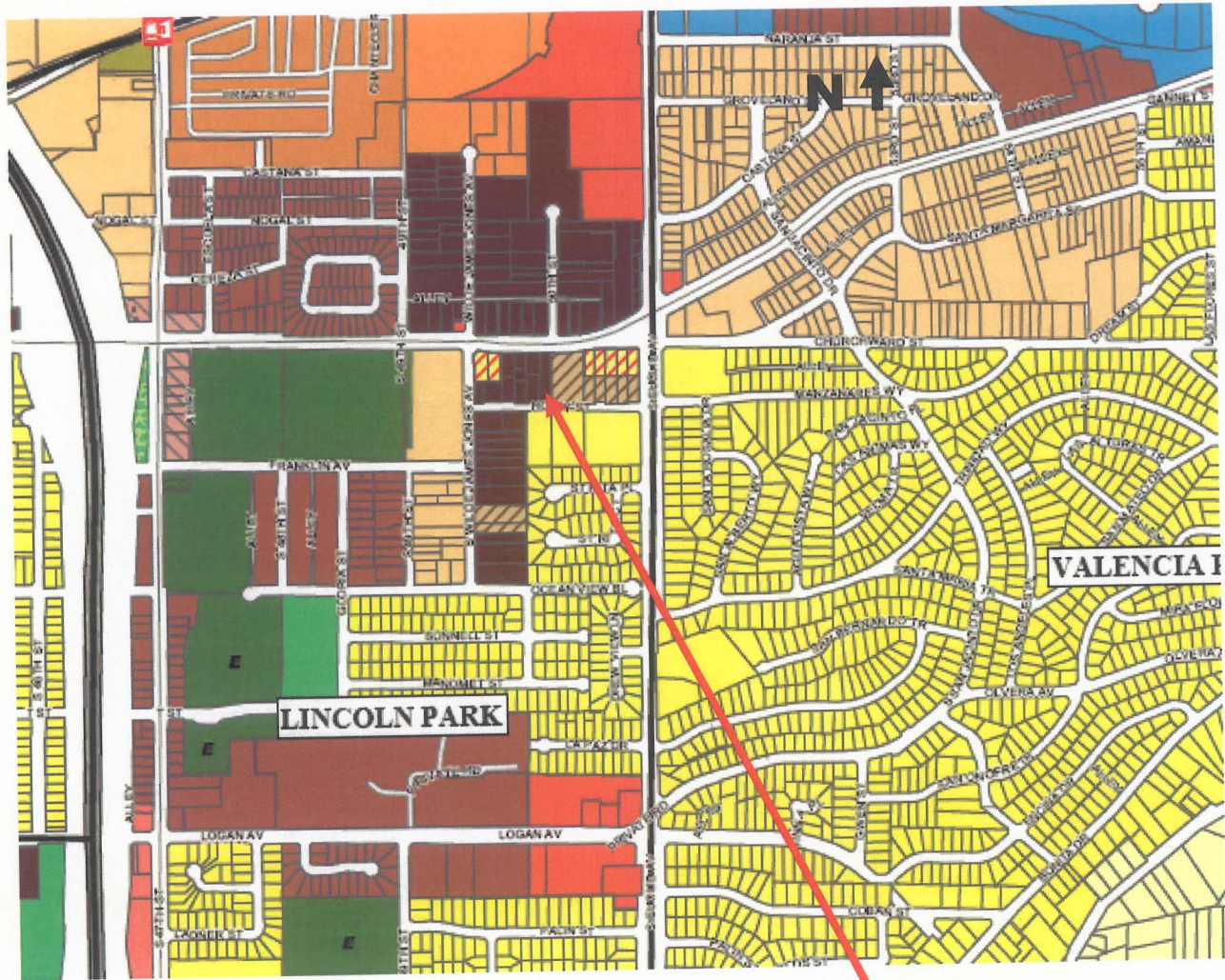
WESTLAKE/PJF

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Plans
6. Draft Permit with Conditions
7. Draft Resolution with Findings
8. SDMC Section 141.0406 (Correctional Placement Centers)
9. Copy of Conditional Use Permit No. 96-7113
10. 5th Amendment to the Central Imperial Redevelopment Plan
11. Community Planning Group Recommendation
12. Ownership Disclosure Statement

Attachment 1 Aerial Photograph of Site





- Legend**
- Community Plan Boundary
 - Single Family Res. (0-2 du/ac)
 - Single Family Res. (0-5 du/ac)
 - Single Family Res. (5-10 du/ac)
 - Single Family Res. (10-15 du/ac)
 - Single Family Res. (10-15 du/ac) Mobile I
 - Multi-Family Res. (15-17 du/ac)
 - Multi-Family Res. (15-30 du/ac)
 - Multi-Family Res. (30-44 du/ac)
 - Neighborhood Village
 - Neighborhood Commercial-Residential Permitted (14-44 du/ac)
 - Multiple Use
 - General Commercial
 - Community Commercial
 - Neighborhood Commercial
 - Specialized Commercial
 - Business Park / Office Commercial
 - Industrial
 - Park
 - Open Space
 - Cemetery
 - Institutional
 - Schools/Public Facilities

Project Site

**Attachment 2
Community Plan – Land Use Map**

Attachment 3 Project Location Map



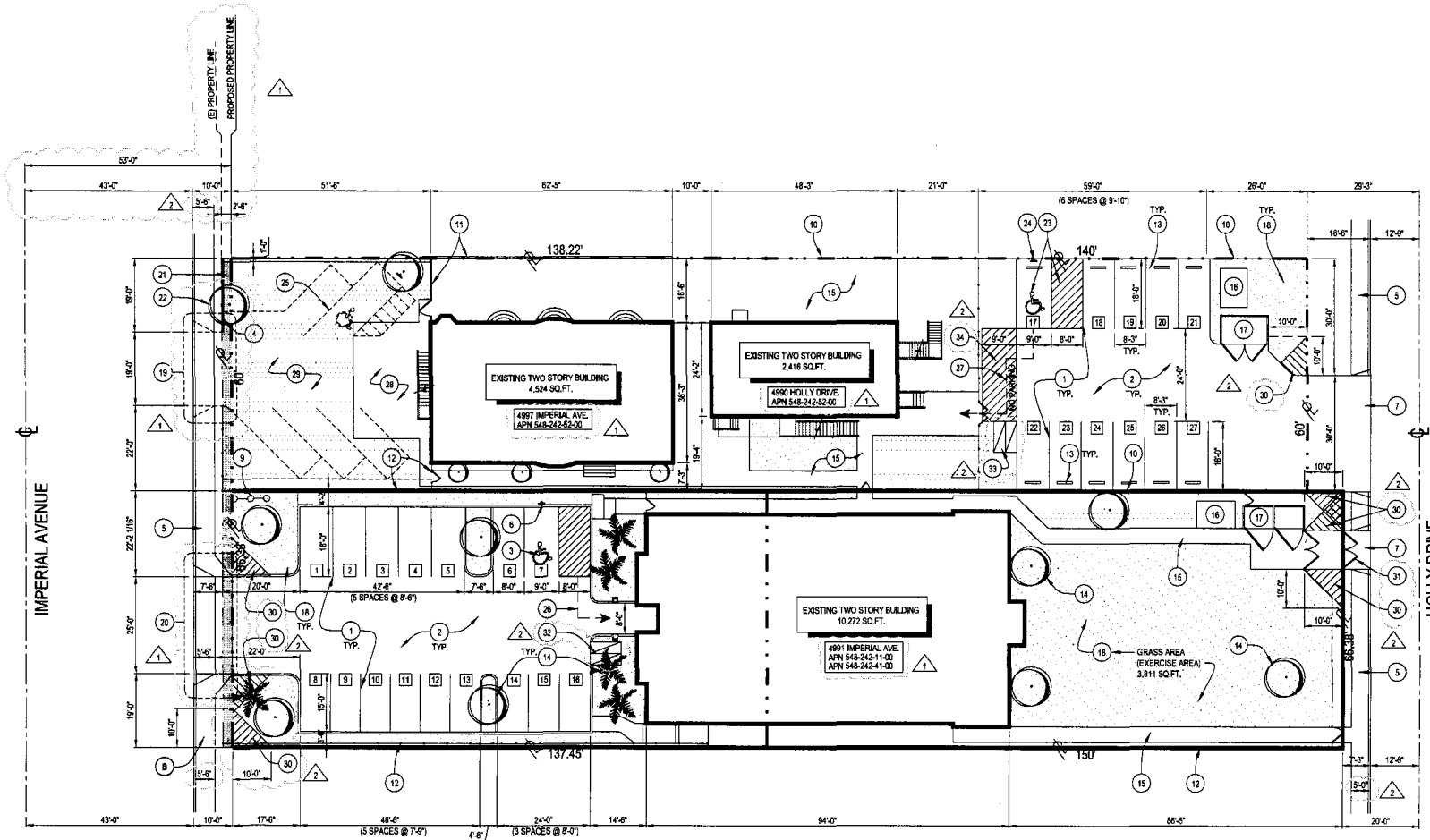
PROJECT DATA SHEET

PROJECT NAME:	National Crossroads	
PROJECT DESCRIPTION:	Amendment to SESD/CUP No. 96-7113 to allow an existing 77-bed correctional placement center for women and women with children to continue to operate for another 10 year timeframe. Council District 4.	
COMMUNITY PLAN AREA:	Southeastern San Diego Community Plan	
DISCRETIONARY ACTIONS:	Conditional Use Permit (amendment to SESD/CUP No. 96-7113)	
COMMUNITY PLAN LAND USE DESIGNATION:	Multi-Family Residential (15-30 DU/AC)	
<u>ZONING INFORMATION:</u>		
ZONE:	RM-2-5 zone (multi-family)	
HEIGHT LIMIT:	40 feet	
LOT SIZE:	6,000 min.	
FLOOR AREA RATIO(FAR):	1.35	
FRONT SETBACK:	15 feet	
SIDE SETBACK:	5 feet	
STREETSIDE SETBACK:	10 feet	
REAR SETBACK:	15 feet	
PARKING:	23 required (1/7 beds and 1/staff at max. staffing timeframe)	
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	RM-1-1 zone; Multi-Family Residential	Commercial Retail
SOUTH:	RM-1-1 zone and SF-5000; Multi-Family Residential/Single-Family	Church & Elementary School
EAST:	RM-2-5 zone; Multi-Family Residential	Commercial Retail
WEST:	RM-2-6 zone; Multi-Family Residential	Vacant land
DEVIATIONS OR VARIANCES REQUESTED:	None requested; the project is previously conforming re: a) The project site is within 600 feet of residentially zoned property; b) The project site is within 1,000 feet of schools.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Encanto Neighborhoods Community Planning Group reviewed this project at their meeting of April 21, 2008, and voted unanimously (12-0-0) to recommend approval with no conditions	

PROPOSED SITE PLAN FOR:

NATIONAL CROSSROADS

4991 IMPERIAL AVE
SAN DIEGO, Ca 92113



PROPOSED SITE PLAN

SHEET NOTES

A. NOTE:
ALL SITE WORK AND CONDITIONS SHOWN ON THIS PLAN ARE EXISTING AND APPROVED UNDER CONDITIONAL USE PERMIT (CUP 96-7113). NO CHANGE PROPOSED U.N.O.

B. NOTE:
THERE IS NOT ANY RESIDENTIAL CARE FACILITY, SOCIAL SERVICE INSTITUTION, WELFARE INSTITUTION OR SIMILAR TYPE OF FACILITY CLOSER THAN 1/4 MILE.

C. NOTE:
THERE ARE NO EXISTING OR PROPOSED BUS STOPS ALONG THE PROJECT FRONTAGE.

GOVERNING CODES
2007 CBC, CEC, CFC, CMC, CPC, 2001 EES, CCR TITLE 24

SCOPE OF WORK
PROPOSED EXTENSION OF TIME FOR A CONDITIONAL USE PERMIT (CUP 96-7113) FOR AN EXISTING 77 BED CORRECTIONAL PLACEMENT CENTER FOR WOMEN AND WOMEN WITH CHILDREN.

PROJECT ANALYSIS

SITE AREA	38,029 SQ. FT.
ZONING	CSF-2 & CSF-1
EXISTING BUILDINGS TOTAL AREA	17,212 SQ. FT.
EXISTING BUILDING "A" TOTAL AREA	4,524 SQ. FT.
EXISTING BUILDING "B" TOTAL AREA	2,416 SQ. FT.
EXISTING BUILDING "C" TOTAL AREA	10,272 SQ. FT.
TOTAL NUMBER OF CLIENTS	77 PERSONS
TOTAL NUMBER OF EMPLOYEES PER SHIFT	04 PERSONS
FLOOR AREA RATIO	44%

PARKING ANALYSIS

TOTAL PARKING REQUIRED	15 SPACES
1 PARKING / 7 CLIENTS	11 SPACES
1 PARKING / 1 EMPLOYEE	12 SPACES
TOTAL PARKING EXISTING	27 SPACES
(E) STANDARD SPACES	16 SPACES
(E) COMPACT SPACES	09 SPACES
(E) HANDICAP SPACES	02 SPACES

* NUMBER OF EMPLOYEES DURING THE SHIFT WITH HIGHEST NUMBER OF EMPLOYEES ON SITE

ASSESSOR'S PARCEL NO.
548-242-11-00, 548-242-41-00 AND 548-242-52-00

LEGAL DESCRIPTION

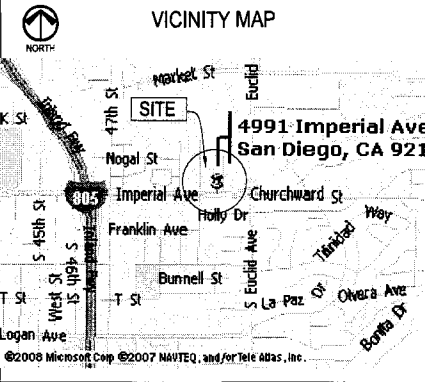
LEGAL DESCRIPTION:
THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO AND IS DESCRIBED AS FOLLOWS:

PARCEL 1: (548-242-11)
THE SOUTHERLY 150 FEET OF THE PORTION OF 53 OF HORTONS PURCHASE, IN EXEMPTION LANDS OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 283, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, ON MARCH 9, 1878, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 30 FEET SOUTH AND 800 WEST OF NORTHEAST CORNER OF SAID LOT 53; SAID POINT BEING ALSO NORTHWEST CORNER OF THE TRACT OF THE LAND CONVEYED TO JOHN D. COCKBURN BY DEED DATED NOVEMBER 24, 1923 IN RECORDED IN BOOK 813, PAGE 346 OF DEEDS, RECORDS OF SAN DIEGO COUNTY, THENCE SOUTH ALONG WEST LINE OF LAND SO CONVEYED TO COCKBURN 300 FEET TO A POINT IN NORTH LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO EDWARD FECKER BY DEED DATED JUNE 1, 1923 AND RECORDED IN BOOK 843, PAGE 343 OF DEEDS, RECORDS OF SAN DIEGO COUNTY, THENCE WEST ALONG NORTH LINE OF LAND SO CONVEYED TO FECKER 66 FEET MORE OR LESS TO WEST LINE OF THE NORTHEAST QUARTER OF SAID LOT 53; THENCE NORTH ALONG SAID WEST LINE 300 FEET; THENCE EAST 66 FEET MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 2: (548-242-41)
LOT 1 OF IMPERIAL EUCLED CENTER, UNIT NO. 1, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA ACCORDING TO MAP THEREOF NO. 3369, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 15, 1984, EXCEPTING THE NORTHERLY 18.00 FEET THEREOF.

PARCEL 3: (548-242-52)
LOTS 2 AND 3 OF THE IMPERIAL-EUCLED CENTER, UNIT NO. 1, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 3369, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, ON MAY 15, 1984.

- SITE PLAN INDEX**
- 1 (E) PARKING AREA PER PREVIOUSLY ISSUED PERMIT.
 - 2 (E) CONCRETE OR ASPHALT PAVING THROUGH-OUT.
 - 3 (E) ACCESSIBLE HANDICAP SPACE.
 - 4 (E) ROLLING GATE.
 - 5 (E) SIDEWALK, NO CHANGE U.N.O.
 - 6 (E) HANDICAP SIGNAGE, FOR MIN. SPECIFICATIONS.
 - 7 (E) DRIVEWAY AND CURB CUT.
 - 8 (E) DRIVEWAY, NO CURB.
 - 9 (E) BACK FLOW DEVICE.
 - 10 ALL EXISTING CHAINLINK FENCE.
 - 11 (E) BLOCK WALL.
 - 12 (E) WOOD FENCE.
 - 13 (E) CONCRETE WHEEL STOPS.
 - 14 (E) TREES.
 - 15 (E) CONC. WALKWAYS.
 - 16 (E) SHED TOOLS.
 - 17 (E) TRASH ENCLOSURE.
 - 18 (E) LANDSCAPE AREA (DOTTED PATTERN).
 - 19 REMOVE (E) CURB, CUT AND DRIVEWAY, RECONSTRUCT CURB, GUTTER AND SIDEWALK PER CITY STANDARDS.
 - 20 RECONSTRUCT DRIVEWAY PER CITY STANDARD DRAWING G-14A (CONTIGUOUS SIDEWALK).
 - 21 PROPOSED 2'-6" DEDICATION TO CITY OF SAN DIEGO, (115 SQ. FT. SHOWN SHADED).
 - 22 (N) 24" BOX STREET TREE.
 - 23 (N) HANDICAP PARKING, STRIPE PER CITY STANDARDS.
 - 24 (N) HANDICAP SIGNAGE, FOR MIN. SPECIFICATIONS.
 - 25 REMOVE (E) PARKING STRIPE.
 - 26 (E) PATH OF TRAVEL.
 - 27 (N) PATH OF TRAVEL.
 - 28 (N) CONCRETE PATIO.
 - 29 (E) CONCRETE OR ASPHALT PAVING THROUGHOUT TO BE REMOVED AND REPLACE WITH LANDSCAPE AREA (DOTTED PATTERN).
 - 30 10' x 10' VISIBILITY AREA, NO FENCES, SHUBS, OR OTHER OBJECTS GREATER THAN 36 INCHES IN HEIGHT ARE PERMITTED IN THE VISIBILITY AREA.
 - 31 (E) EXISTING GATE AND FENCE TO BE RELOCATED FROM THE VISIBILITY AREA.
 - 32 (N) BICYCLE RACK (MIN. 2 SPACES).
 - 33 (N) (2) 5' x 8' MOTORCYCLE PARKING SPACES.
 - 34 (N) 5' x 24' TURN AROUND AREA.



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CLIENT
NATIONAL CROSSROADS
4991 IMPERIAL AVE
SAN DIEGO, CA 92113
TEL. (619) 262.0868

PROJECT
NATIONAL CROSSROADS
4991 IMPERIAL AVENUE
SAN DIEGO, CA 92113

A PROPOSED COMMERCIAL DEVELOPMENT LOCATED AT:

REVISIONS		
NO.	DESCRIPTION	DATE
1	PLAN CHECK COMMENTS	3/1/08
2	CYCLE RIDES	3/1/08

SHEET TITLE
SITE PLAN

DATE: 12/18/08 SCALE: AS NOTED
DRAWN BY: CB DATE: 02/24/08 ST1.DWG
CHECKED BY: JLR SHEET NUMBER:
PROJECT NO: 02245 **A1**

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-8074

CONDITIONAL USE PERMIT NO. 468066
NATIONAL CROSSROADS – PROJECT NO. 134470
(AMENDMENT TO SESD/CUP NO. 96-7113)
PLANNING COMMISSION

This Conditional Use Permit No. 468066 (amendment to Southeast San Diego/Conditional Use Permit No. 96-7113) is granted by the Planning Commission of the City of San Diego to IMPERIAL PACIFIC PROPERTIES, LLC, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] Section 141.0406. The 36,090-square-foot project site is located at 4991 and 4997 Imperial Avenue and 4990 Holly Drive, in the RM-2-5 Zone, within the Southeastern San Diego Community Plan area. The project site is legally described as Lots 1, 2 and 3 of Imperial Euclid Center, Unit No. 1 in the City and County of San Diego, State of California according to Map thereof No. 5389, and the westerly 66 feet of the southerly 150 feet of the northerly 330 feet of the northeast corner of Lot 53 of Horton's Purchase, in the City and County of San Diego, State of California, according to the Map thereof No. 283, filed in the office of the County Recorder of San Diego County.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a 77-bed correctional placement center, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 22, 2009, on file in the Development Services Department.

The project shall include:

- a. An existing 10,711 square-foot, two-story building at 4991 Imperial Avenue used as a correctional placement center for up to 37 women residents with infant children up to the age of six;
- b. An existing 4,524 square-foot, two-story building at 4997 Imperial Avenue used as a correctional placement center for 24 women residents without children;

- c. An existing 2,416 square-foot, two story building at 4990 Holly Drive used as a correctional placement center for 16 women residents without children;
- d. A children's playground area;
- e. Existing landscaping (planting, irrigation and landscape related improvements) consistent with the requirements of the Land Development Code;
- f. Off-street parking of 27 spaces on site (where 23 spaces is the minimum requirement);
- g. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This Conditional Use Permit No. 468066 and corresponding use of this site shall expire on October 22, 2019. Upon expiration of this Permit, the property shall not be used for any other purposes unless the proposed use meets every requirement of the zone existing for the property at the time of conversion, or an amendment to this Permit to allow an additional period of time has been approved.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

ATTACHMENT 6

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

8. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

11. Prior to the recordation of this Permit, the applicant shall provide documentation to the Development Services Department Project Manager that the existing westerly driveway on Imperial Avenue has been reconstructed to current standards, with a width of 25 feet measured at the property line, satisfactory to the City Engineer. If this work is not completed within 180 days of the public hearing approval of the CUP, the approval of the CUP shall be rescinded.

12. Prior to the recordation of this Permit, the applicant shall provide documentation to the Development Services Department Project Manager that an Encroachment Maintenance and Removal Agreement for landscaping in Imperial Avenue has been processed, satisfactory to the City Engineer. If the EMRA has not been processed within 180 days of the public hearing approval of this Permit, the approval of the CUP shall be rescinded.

13. Prior to the recordation of this Permit, the applicant shall assure by permit and bond the closure and reconstruction of the easterly driveway at Imperial Avenue with a standard curb, gutter and sidewalk, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

14. The Permittee or Subsequent Owner shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

15. The Permittee or Subsequent Owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual Landscape Standards.

16. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Permittee or Subsequent Owner is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a Final Landscape Inspection.

PLANNING/DESIGN REQUIREMENTS:

17. No more than six (6) non-ambulatory residents (which includes infants) shall be allowed to reside on the first floors nor shall any non-ambulatory residents be allowed to reside on the second floors in the buildings at 4997 Imperial Avenue and 4990 Holly Drive unless the City Manager is provided with an inspection report from Development Services that the buildings comply with all applicable code requirements for Group R Division 6.1 occupancy as specified in the California Building Code.

18. The project shall comply at all times with all the minimum development and operational standards for Correctional Placement Centers as prescribed by San Diego Municipal Code [SDMC] Section 141.0406.

19. All signs associated with this development shall be consistent with sign criteria established by City-wide sign regulations.
20. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS

21. Parking: A minimum of 23 automobile spaces (including 1 van accessible space), 2 motorcycle spaces, and 2 bicycle spaces with rack(s) are required by the Land Development Code. 27 automobile spaces (including 2 van accessible spaces), 2 motorcycle spaces, and 2 bicycle spaces with rack(s) are shown on the project's Exhibit "A". All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.
22. Number of Beds: The facility shall provide no more than 77 beds.
23. Number of Staff: The facility shall have no more than 12 employees during any one shift.
24. Holly Drive Public Improvements: If any of the abutting properties improve their Holly Drive frontage, the Owner/Permittee shall, within 90 days, dedicate 10 feet along Holly Drive along the westerly half of the project site, and assure by permit and bond the half width improvements to Holly Drive along the entire project frontage, to provide 18 feet of pavement curb to centerline, City standard curb, gutter, and a minimum 5 foot wide non-contiguous sidewalk within a 12 foot parkway, satisfactory to the City Engineer.
25. Imperial Avenue Dedication: Prior to the issuance of the permit, the Owner/Permittee shall dedicate 2.5 feet along the project's frontage along Imperial Avenue, to provide a minimum 10 foot curb to property line distance, satisfactory to the City Engineer.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on October 22, 2009 by Resolution No. _____.

ATTACHMENT 6

Permit Type/PTS Approval No.:

Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Patricia J. FitzGerald
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

**The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.**

IMPERIAL PACIFIC PROPERTIES, LLC
Owner/Permittee

By _____
NAME
TITLE

I

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

Rev. 05/13/09 rh

PLANNING COMMISSION
RESOLUTION NO. ___-PC
CONDITIONAL USE PERMIT NO. 468066
(AMENDMENT TO SESD/CUP NO. 96-7113)
NATIONAL CROSSROADS – PROJECT NO. 134470

WHEREAS, IMPERIAL PACIFIC PROPERTIES, LLC., Owner/Permittee, filed an application with the City of San Diego for an amendment to Southeast San Diego/Conditional Use Permit No. 96-7113 to allow an existing 77-bed correctional placement center for women and women with children to continue operations for 10 years duration (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Conditional Use Permit [CUP] No. 468066); and

WHEREAS, the 36,090-square-foot project site is located at 4991 and 4997 Imperial Avenue, and 4990 Holly Drive, in the RM-2-5 Zone within the Southeastern San Diego Community Plan area; and

WHEREAS, the project site is legally described as Lots 1, 2 and 3 of Imperial Euclid Center, Unit No. 1 in the City and County of San Diego, State of California according to Map thereof No. 5389, and the westerly 66 feet of the southerly 150 feet of the northerly 330 feet of the northeast corner of Lot 53 of Horton's Purchase, in the City and County of San Diego, State of California, according to the Map thereof No. 283, filed in the office of the County Recorder of San Diego County; and

WHEREAS, on November 22, 2009, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 468066 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated October 22, 2009.

FINDINGS:

CONDITIONAL USE PERMIT FINDINGS – SDMC SECTION 126.0305:

1. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE APPLICABLE LAND USE PLAN.

The 36,090-square-foot project site is located within the Lincoln Park Neighborhood of the Encanto Neighborhood community plan area, within Southeastern San Diego Community Plan area. The project is a request for an amendment to Southeast San Diego/Conditional Use Permit No. 96-7113 to allow an existing 77-bed correctional placement center for women and women with children to continue operations for an additional 10 years duration. No other changes to the operations of the existing facility are proposed with the proposed amendment. The Southeastern San Diego Community Plan was recently amended as part of the 5th Amendment to the Central Imperial Redevelopment Plan and Southeastern San Diego and Skyline-Paradise Hills Community Plans, adopted by the City Council and Redevelopment Agency on behalf of the Southeastern Economic Development Corporation in May 2009. As a result the project site was

re-designated from General Commercial to Multi-Family Residential (15-30 DU/AC) land use. Section 141.00406 of the San Diego Municipal Code allows for correctional placement center development through the conditional use permit process, subject to certain criteria being satisfied. The existing facility meets all current criteria, except it is previously conforming with respect to locational criteria requiring correctional placement centers to be separated a minimum of 1,000 feet from schools, and a minimum of 600-feet from residentially zoned property. Specifically, Holly Drive Leadership Academy, a K-8 charter school, is located immediately across the street to the south, Lincoln High School is located approximately 330 feet to the west, and Saint Rita's Elementary School is located approximately 640 feet east of the project site. The project site and other properties in the vicinity were recently rezoned from the CSF-1 and CSF-2 zones (commercial) to the RM-2-5 zone (multi-family residential).

The existing facility has been operating without incident in the neighborhood for twenty years, and provides needed services for female parolees including residency, support services and resources that enable successful reintegration into the community and reunification of families. Though the existing facility is previously conforming with respect to current locational criteria, the project meets all other applicable regulations pertaining to correctional placement centers under Section 141.0406 of the San Diego Municipal Code (SDMC). These regulations address facility design, location and operations, parking, staff training, security, resident capacity and resident selection criteria. As the project is located within the Central Imperial Redevelopment Project area, it is anticipated that the context of the neighborhood will change over time. The SDMC does not specify a time limit to be applied to correctional placement centers. The limited 10 year operating timeframe approved for the project will afford the opportunity for future review of the CUP to impose new project conditions or modify existing project conditions as might be needed to address anticipated redevelopment of the area. No adverse affects to the Southeastern San Diego Community Plan are anticipated as a result of the proposed continuation of operations of the correctional placement facility for an additional 10 year timeframe.

2. THE PROPOSED DEVELOPMENT WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE.

The project is a request for an amendment to Southeast San Diego/Conditional Use Permit No. 96-7113 to allow an existing 77-bed correctional placement center for women and women with children to continue operations for an additional 10 years duration. No other changes to the operations of the existing facility are proposed with the proposed amendment. National Crossroads has been operating without incident in the neighborhood for twenty years, and provides needed services for female parolees including residency, support services and resources that enable successful reintegration into the community and reunification of families. National Crossroads is required to manage the existing facility according to the specific criteria and conditions of CUP No. 468066, including facility design, location and operations, parking, staff training, security, resident capacity and resident selection criteria. The proposed permit amendment to allow the existing facility to continue operations for an additional 10 year timeframe will not result in the development being detrimental to the public health, safety, and welfare.

3. THE PROPOSED DEVELOPMENT WILL COMPLY TO THE MAXIMUM EXTENT FEASIBLE WITH THE REGULATIONS OF THE LAND DEVELOPMENT CODE.

The project is a request for an amendment to Southeast San Diego/Conditional Use Permit No. 96-7113 to allow an existing 77-bed correctional placement center for women and women with children to continue operations for an additional 10 years duration. No other changes to the operations of the existing facility are proposed with the proposed amendment. Section 141.00406 of the San Diego Municipal Code allows for correctional placement center development through the conditional use permit process, subject to certain criteria being satisfied. The existing facility meets all current criteria, except it is previously conforming with respect to locational criteria requiring correctional placement centers to be separated a minimum of 1,000 feet from schools, and a minimum of 600-feet from residentially zoned property. Specifically, Holly Drive Leadership Academy, a K-8 charter school, is located immediately across the street to the south, Lincoln High School is located approximately 330 feet to the west, and Saint Rita's Elementary School is located approximately 640 feet east of the project site. The project site and other properties in the vicinity were recently rezoned from the CSF-1 and CSF-2 zones (commercial) to the RM-2-5 zone (multi-family residential). The project does not propose new development or a change in use, and there are no known issues relative to its current operations. Excepting the locational criteria noted above, the project will comply to the maximum extent feasible with the regulations of the Land Development Code.

4. THE PROPOSED USE IS APPROPRIATE AT THE PROPOSED LOCATION.

The 36,090-square-foot project site is located within the Lincoln Park Neighborhood of the Southeastern San Diego Planned District, within the Southeastern San Diego Community Plan area. The project is a request for an amendment to Southeast San Diego/Conditional Use Permit No. 96-7113 to allow an existing 77-bed correctional placement center for women and women with children to continue operations for an additional 10 years duration. No other changes to the operations of the existing facility are proposed with the proposed amendment. The Southeastern San Diego Community Plan was recently amended as part of the 5th Amendment to the Central Imperial Redevelopment Plan and Southeastern San Diego and Skyline-Paradise Hills Community Plans, adopted by the City Council and Redevelopment Agency on behalf of the Southeastern Economic Development Corporation in May 2009. As a result the project site was re-designated from General Commercial to Multi-Family Residential (15-30 DU/AC) land use. Section 141.00406 of the San Diego Municipal Code allows for correctional placement center development through the conditional use permit process, subject to certain criteria being satisfied. The existing facility meets all current criteria, except it is previously conforming with respect to locational criteria requiring correctional placement centers to be separated a minimum of 1,000 feet from schools, and a minimum of 600-feet from residentially zoned property. Specifically, Holly Drive Leadership Academy, a K-8 charter school, is located immediately across the street to the south, Lincoln High School is located approximately 330 feet to the west, and Saint Rita's Elementary School is located approximately 640 feet east of the project site. The project site and other properties in the vicinity were recently rezoned from the CSF-1 and CSF-2 zones (commercial) to the RM-2-5 zone (multi-family residential). The existing facility has been operating without incident in the neighborhood for twenty years, and provides needed services for female parolees including residency, support services and resources that enable successful

reintegration into the community and reunification of families. Conditions of CUP No. 468066 including facility design, location and operations, parking, staff training, security, resident capacity and resident selection criteria will ensure the existing facility will operate according to the Land Development Code requirements. No other changes to the operations of the existing facility are proposed with the proposed amendment. The project will allow the existing correctional placement center use to continue for an additional 10 year duration and is appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, CUP No. 468066 and SDP No. 468067 are hereby GRANTED by Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in CUP No. 468066 and SDP No. 468067, a copy of which is attached hereto and made a part hereof.

Patricia J. FitzGerald
Development Project Manager
Development Services

Adopted on: October 22, 2009

Job Order No. 42-8074

cc: Legislative Recorder

§141.0406 Correctional Placement Centers

Correctional placement centers may be permitted with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Correctional placement centers are not permitted in any of the following locations:
 - (1) Within the beach impact area of the Parking Impact Overlay Zone;
 - (2) Within 1/4 mile of any type of residential care facility, *social service institution*, welfare institution, or similar type of facility, measured from *property line to property line* in accordance with Section 113.0225;
 - (3) Within 1 mile of another correctional placement center, measured from *property line to property line* in accordance with Section 113.0225;
 - (4) Within 1,000 feet of a *school*, library, *public park*, or recreation area, measured from *property line to property line* in accordance with Section 113.0225; or
 - (5) Within 600 feet of a property zoned for residential *development*, measured from *property line to property line* in accordance with Section 113.0225.
- (b) The center shall provide a minimum of 60 square feet of sleeping space per bed, not including closet space, storage space, multipurpose rooms, bathrooms, dining rooms, and halls. There shall be no more than 64 beds per sleeping space.
- (c) The center shall provide a minimum of 10 square feet of multi-purpose space per bed, not including sleeping space and *kitchen* areas, for games and activities, dining, visiting, television lounge, meetings, and quiet space for study, counseling and reading. This space shall be designed so that several activities can occur simultaneously without conflict.
- (d) The center shall provide a minimum of 8 cubic feet of closet and drawer space for clothing and personal belongings per bed. The required closet and drawer space may consist of portable or permanent fixtures and shall be located in the sleeping space.

- (e) The center shall provide a minimum of 15 square feet of dining area for each resident, not including *kitchen* areas and sleeping space. Centers may have food prepared off the *premises* if the preparation source meets all applicable requirements for commercial food service. The center shall provide adequate equipment and staff to receive and serve the food and clean up. The center shall provide and maintain adequate equipment for in-house preparation, storage, and service of food in case the residents elect to do so. For centers that have food prepared on the *premises*, the preparation source shall meet all applicable requirements for commercial food services and shall have equipment and staff necessary to receive, store, serve, and prepare meals and to clean up.
- (f) The center shall provide at least one toilet and wash basin for every eight beds. At least one shower or bathtub shall be provided for every 12 beds. The center shall provide for individual privacy in all toilet, shower, and bath areas.
- (g) The center shall make laundry facilities available to all residents. The center shall provide at least one operable washer and dryer for every 16 beds, or the center may be serviced by a commercial laundry. The space used for laundry purposes shall not be part of an area used for storage of anything other than clean linens and other supplies normally associated with laundry activities.
- (h) Centers that have 99 or fewer residents shall provide an exercise area of at least 900 square feet, not including required *yards* and required landscape areas. Centers that have 100 or more residents shall have an exercise area of at least 2,400 square feet, not including required *yards* and required landscape areas. If an outdoor exercise area is provided, it shall be easily accessible to residents, protected from traffic, and *screened* by solid fencing from the *public right-of-way*.
- (i) The center shall provide the following number of *off-street parking spaces*:
- (1) At least one parking space per staff person assigned to the shift that has the greatest number of staff persons; and
 - (2) For centers confining up to 24 persons, at least one parking space for every four beds or for centers confining 25 or more persons, at least one parking space for every seven beds.

- (j) At least two uniformed custodial guards or monitors who are CPR-qualified shall be on duty at the center at all times.
- (k) Centers confining 25 or more persons shall provide at least one additional uniformed custodial guard or monitor for each 64 beds, or portion thereof, to be on duty between the hours of 4:00 p.m. and 8:00 a.m. during the week and during all hours on the weekend.
- (l) The center shall maintain a list of all residents accommodated during the past 6 months and shall provide their sentence/offense analysis available upon request.
- (m) The center shall maintain records of all vehicles being driven by residents of the facility and shall provide the records upon request.
- (n) All personnel shall be trained in accordance with selection and training requirements adopted by the Board of Corrections as set forth in the California Code of Regulations, Subchapter 1 (commencing with Section 100) of Chapter 1 of Division 1 of Title 15 and all other requirements outlined in Title 15. A Certificate of Compliance issued by an institute accredited by the State Board of Corrections shall be submitted to the City Manager.
- (o) Adult offenders housed in correctional placement centers shall be regularly employed, regularly attending job training, or regularly attending a learning institution. The sentencing judge may determine that other similar circumstances qualify an offender for housing in a correctional placement center.
- (p) No person convicted of any of the offenses listed in Table 141-04A, which are defined in the California Penal Code, may be ordered by any court into a City of San Diego Correctional Placement Center. This prohibition shall apply if the court order is a direct sentence or the placement is a condition of probation, regardless of whether the offense is a felony or misdemeanor. The Correctional Placement Center shall not accept or lodge any such person improperly placed by a court.

**Table 141-04A
Excludable Offenses**

No.	Offenses
1.	Murder
2.	Vehicular manslaughter
3.	Voluntary manslaughter
4.	Mayhem
5.	Kidnaping
6.	Robbery (including bank robbery)
7.	Assault with intent to rape or rob
8.	Assault with a deadly weapon on a peace officer
9.	Rape
10.	Forcible sodomy
11.	Lewd act on a child
12.	Forcible oral copulation
13.	Forcible penetration by foreign object
14.	Arson
15.	Grand theft using a firearm
16.	Assault by a life prisoner on a non-inmate
17.	Assault with a deadly weapon by an inmate
18.	Holding of a hostage by a prisoner
19.	Personal use of a deadly weapon
20.	Personal use of a firearm
21.	Personal infliction of great bodily injury
22.	Exploding a destructive device with intent to injure
23.	Exploding a destructive device with intent to murder
24.	Exploding a destructive device with intent to cause mayhem or great bodily injury
25.	Selling and/or furnishing drugs to a minor
26.	Sale or possession for sale of a controlled substance
27.	Any felony punishable by death or life imprisonment
28.	An attempt to commit any of the crimes listed, except assaults
29.	Any sex offense, either a misdemeanor or a felony, wherein the victim is a child under the age of 18, including all offenses registerable as sex offenses under California Penal Code section 290, and also offenses involving child pornography as described in California Penal Code sections 311 through 312.3
30.	Any person convicted of a crime whom the sentencing judge deems unacceptable for community access
31.	Any person sentenced for a federal crime that is similar in nature or type, to any of the crimes listed.

(Amended 6-12-2001 by O-18948 N.S.; effective 12-12-2001.)

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT

194

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 34.00

AND WHEN RECORDED MAIL TO

PERMIT INTAKE
MAIL STATION 501



SPACE ABOVE THIS LINE FOR RECORDER'S USE

SOUTHEAST SAN DIEGO DEVELOPMENT PERMIT/
CONDITIONAL USE PERMIT AMENDMENT NO. 96-7113
AMENDING CONDITIONAL USE PERMIT NO. 91-0123
CALIFORNIA MOTHER-INFANT WORK FURLOUGH
PLANNING COMMISSION

This Southeast San Diego Development Permit/Conditional Use Permit Amendment is granted by the Planning Commission of The City of San Diego to BARBARA CORNIST-GUNNER, an individual, Owner/Permittee, under the provisions of Sections 101.0510 and 103.1700 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee to expand an existing 42 bed work furlough facility to include the two adjoining lots to the east and to increase the total number of beds for adults at the facility from 42 to 77, 37 of which will be for women with infant children and 40 of which will be for women without children. The subject property is located at 4991 and 4997 Imperial Avenue and 4996 Holly Drive, also described as Lots 1, 2 and 3 of Imperial Euclid Center, Unit No. 1 in the City and County of San Diego, State of California according to Map thereof No. 5389, and the westerly 66 feet of the southerly 150 feet of the northerly 330 feet of the northeast corner of Lot 53 of Horton's Purchase, in the City and County of San Diego, State of California, according to the Map thereof No. 283, filed in the office of the County Recorder of San Diego County, in the CSF-2 and CSF-1 Zones of the Southeast San Diego Planned District.

2. The facility shall consist of the following as identified on the approved Exhibit "A" for this project, dated May 8, 1997, on file in Development Services:

- a. An existing 10,711 square-foot, two-story building at 4991 Imperial Avenue (approved under CUP AM No. 91-0123) to be used as a work-furlough facility for up to 37 women residents with infant children up to the age of six;
- b. An existing 4,524 square-foot, two-story building at 4997 Imperial Avenue to be used as a work-furlough facility for 24 women residents without children;

- c. An existing 2,416 square foot, two story building at 4996 Holly Drive to be used as a work-furlough facility for 16 women residents without children;
 - d. Off-street parking of 28 spaces on site;
 - e. A children's playground area;
 - f. Existing landscaping consistent with the requirements of the City's *Landscape Technical Manual* and *Landscape Ordinance*;
 - g. Accessory uses as may be determined incidental and approved by the City Manager.
3. No fewer than a total of 28 off-street parking spaces shall be maintained on the property in the approximate locations shown on Exhibit "A" dated May 8, 1997, on file in the office of Development Services. Parking spaces shall be consistent with Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to City standards. Parking areas shall be clearly marked.
4. The expanded use authorized by this permit shall not be conducted on the premises until:
- a. The Permittee signs and returns this Permit to Development Services; and
 - b. The Permit is recorded by Development Services in the office of the County Recorder.
5. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.
6. No more than six non-ambulatory residents (which includes infants) shall be allowed to reside on the first floors nor shall any non-ambulatory residents be allowed to reside on the second floors in the buildings at 4997 Imperial Avenue and 4996 Holly Drive unless the City Manager is provided with an inspection report from Development Services that the buildings comply with all applicable code requirements for Group R Division 6.1 occupancy as specified in the California Building Code.
7. This Southeast San Diego Development Permit/Conditional Use Permit Amendment must be utilized within 36 months after the effective date of City approval. Failure to utilize the permit within 36 months shall automatically void the permit unless an Extension of Time has been granted as set forth in Section 111.1122 of the Municipal Code.
8. Within sixty (60) days of the approval date of this Permit the Permittee shall provide a revised site plan, satisfactory to the City Manager, that shows compliance with the City's minimum

information submittal requirements and specifically shall address the following items:

- a. Not less than nine hundred (900) square feet of exercise area shall be provided exclusive of setbacks and landscaping. If outdoors, it shall be easily accessible to residents, protected from traffic and screened from the public right-of-way;
 - b. All fences shall be of wrought iron, wood, concrete or other masonry materials. Chain-link fencing is not allowed. All fences and walls shall also comply with the applicable fence regulations of Division 6 of the City of San Diego Municipal Code;
 - c. All curb cuts and driveways shall comply with the dimension and location requirements of the San Diego Municipal Code;
 - d. All trash and recyclable items shall be stored in a suitable container(s) and the container(s) shall be placed in an enclosed area according to the regulations of Municipal Code Section 101.2001. Refuse shall not be visible from outside the enclosed area.
9. Operation of the approved uses shall comply at all times with the regulations of this or any other applicable governmental agencies.
10. After establishment of the project, the property shall not be used for any other purposes unless:
- a. The proposed use meets every requirement of the zone existing for the property at the time of conversion; and
 - b. This permit has been revoked by the City.
11. Within sixty (60) days of the approval of this Permit, the Permittee shall provide evidence, to the satisfaction of the City Manager that:
- a. Ten (10) feet has been dedicated as additional right-of-way for Holly Drive adjacent to the westerly half of the property; and
 - b. A permit and bond has been issued for the construction of half-width improvements, including curb, gutter, a four-foot-wide sidewalk, driveway entrances and paving to the centerline of the street, adjacent to the site, along Holly Drive, satisfactory to the City Engineer.
12. This Southeast San Diego Development Permit/Conditional Use Permit Amendment may be revoked by the City if there is a material breach or default in any of the conditions of this permit.

13. This Southeast San Diego Development Permit/Conditional Use Permit Amendment is a covenant running with the land and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition herein.

14. This Conditional Use Permit will remain in effect for ten (10) years from the date of final approval following any appeal(s). After the ten years has expired, the work furlough facility shall cease operation unless a new Conditional Use Permit has been applied for or issued by the City of San Diego for an additional period of time to be determined by the Planning Commission at a subsequent public hearing.

15. No change, modifications or alterations to either the approved uses and/or existing improvements on this site shall be made unless a determination of Substantial Conformance (SCR) or an amendment of this permit shall have been granted by the appropriate decision maker.

16. Within sixty (60) days of the approval of this Permit complete landscape construction documents, including plans, details and specifications (including a permanent automatic irrigation system unless otherwise approved), shall be submitted for City Manager approval. The construction documents shall be in substantial conformance with the City-wide Landscape Regulations and the Landscape Technical Manual.

17. Within six (6) months of the approval of this Permit, it shall be the responsibility of the Permittee to install all approved landscape and obtain all required landscape inspections and to obtain a "No Fee Street Tree Permit" for all street trees.

18. New landscaping per condition no. 16 above and existing landscape features on-site shall be maintained in a disease, weed and litter free condition at all times and shall not be modified or altered unless this permit has been amended. Modifications such as severely pruning or "topping" of trees is prohibited. The Permittee, or subsequent owner shall be responsible to maintain all trees and related landscape improvements consistent with the standards of the *Landscape Technical Manual*.

19. If any existing or installed landscape (including hardscape, landscape features, etc.) indicated on the approved plans (Exhibit "A") is damaged or removed during demolition, construction or at any time after issuance of any permit or Certificate of Occupancy, it shall be repaired and/or replaced in kind and equivalent size per the approved plans within 30 days of completion of construction by the Permittee. The replacement size of plant material after three years shall be the equivalent size of that plant at the time of removal (the largest size commercially available and/or an increased number) to the satisfaction of the City Manager.

20. The project shall comply at all times with the following minimum development and operational standards as prescribed by

the "Correctional Placement Center Requirements" (City Council Resolution No. R-279736):

- a. A minimum of sixty (60) square feet of sleeping area per resident, exclusive of closet or storage space;
- b. A minimum of ten (10) square feet of multipurpose space exclusive of sleeping area and kitchen area shall be provided per resident/bed;
- c. A minimum of eight (8) cubic feet of storage (closet or drawers) area shall be provided for each resident/bed;
- d. A minimum of fifteen (15) square feet of dining area shall be provided per resident/bed or the residents shall eat in shifts according to a schedule;
- e. Each building shall provide one bathroom (toilet and sink) per eight (8) residents/beds and one shower or bathtub per twelve (12) residents/beds;
- f. Laundry facilities shall be available to all residents and one operable washer and dryer shall be provided for every sixteen (16) residents/beds;
- g. Each building shall comply with all requirements of the County Health Department, City of San Diego Development Services and Fire Marshal;
- h. All personnel at the facility shall be trained in accordance with selection and training requirements adopted by the Board of Corrections as set forth in Subchapter 1 (commencing with Section 100) of Chapter 1 of Division 1 of Title 15 of the California Code of Regulations and all other requirements outlined in this Title;
- i. No residents of the facility shall be offenders of dangerous crimes included in the list of "Excludable Offenses" contained in the *Correctional Placement Center Requirements*;
- j. There shall be a minimum of two (2) uniformed custodial guards (monitors) who are CPR qualified, on duty at the facility at all times;
- k. There shall be a minimum of one (1) additional uniformed custodial guard (monitor) on duty per each sixty-four (64) residents/beds, or portion thereof, between the hours of 4:00 p.m. and 8:00 a.m. and during all hours on the weekend;
- l. A list of all residents accommodated at the facility in the previous six (6) months with their sentence/offense analysis shall be available upon request;

m. The facility shall maintain records of all vehicles being driven by residents and have such records available upon request.

21. The Permittee shall be responsible to have a copy of this Permit posted on the property at all times.

22. The Permittee shall be responsible to provide a copy of this Permit to any agency which places clients at this facility.

Passed and Adopted by the Planning Commission on May 8, 1997.

PLANNING COMMISSION RESOLUTION NO. 2511-PC
GRANTING SOUTHEAST SAN DIEGO DEVELOPMENT PERMIT/
CONDITIONAL USE PERMIT AMENDMENT NO. 96-7113

WHEREAS, BARBARA CORNIST-GUNNER, Owner/Permittee, filed an application for a Southeast San Diego Development Permit/Conditional Use Permit Amendment to expand an existing 42 bed work furlough facility to include the two adjoining lots to the east and to increase the total number of beds for adults at the facility from 42 to 77, 37 of which will be for women with infant children and 40 of which will be for women without children. The subject property is located at 4991 and 4997 Imperial Avenue and 4996 Holly Drive, also described as Lots 1, 2 and 3 of Imperial Euclid Center, Unit No. 1 in the City and County of San Diego, State of California according to Map thereof No. 5389, and the westerly 66 feet of the southerly 150 feet of the northerly 330 feet of the northeast corner of Lot 53 of Horton's Purchase, in the City and County of San Diego, State of California, according to the Map thereof No. 283, filed in the office of the County Recorder of San Diego County, in the CSF-2 and CSF-1 Zones of the Southeast San Diego Planned District; and

WHEREAS, on May 8, 1997, the Planning Commission of the City of San Diego considered Southeast San Diego Development Permit/Conditional Use Permit Amendment No. 96-7113 pursuant to Sections 101.0510 and 103.1700 of the Municipal Code of The City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

1. That the Planning Commission adopts the following written Findings, dated May 8, 1997:

SOUTHEAST SAN DIEGO PLANNED DISTRICT FINDINGS:

- A. THE PROPOSED USE AND PROJECT DESIGN MEET THE PURPOSE AND INTENT OF THE SOUTHEAST SAN DIEGO PLANNED DISTRICT ORDINANCE AND COMPLY WITH THE RECOMMENDATIONS OF THE SOUTHEAST SAN DIEGO COMMUNITY PLAN, AND WILL NOT ADVERSELY AFFECT THE SOUTHEAST SAN DIEGO COMMUNITY PLAN, THE GENERAL PLAN OR OTHER APPLICABLE PLANS ADOPTED BY THE CITY COUNCIL.

This finding can be made because the Southeast San Diego Planned District Ordinance allows Correctional Placement Centers by Conditional Use Permit on a case by case basis. The existing work furlough facility is allowed under an existing Conditional Use Permit and has been operating in the neighborhood in an exemplary manner. Therefore, the operators of the existing facility have demonstrated that an expansion of the facility would not adversely affect the Southeast San Diego Community Plan or the General Plan.

ORIGINAL

- B. THE PROPOSED DEVELOPMENT SHALL BE COMPATIBLE WITH EXISTING AND PLANNED LAND USE ON ADJOINING PROPERTIES AND SHALL NOT CONSTITUTE A DISRUPTIVE ELEMENT TO THE NEIGHBORHOOD AND COMMUNITY. IN ADDITION ARCHITECTURAL HARMONY WITH THE SURROUNDING NEIGHBORHOOD AND COMMUNITY SHALL BE ACHIEVED AS FAR AS PRACTICABLE.

This finding can be made because the proposed Correctional Placement Center is principally a commercial use and the existing buildings themselves are compatible with other commercial uses on the block. The architectural character of the buildings will not be a disruptive element to the existing and proposed strip commercial character along Imperial Avenue.

- C. THE PROPOSED USE, BECAUSE OF CONDITIONS THAT HAVE BEEN APPLIED TO IT, WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE AREA, AND WILL NOT ADVERSELY AFFECT OTHER PROPERTY IN THE VICINITY.

This finding can be made because the existing facility has demonstrated that they are an asset to the community and have indicated that the expanded facility will be run in a similar manner and will not be detrimental to the health, safety and general welfare of persons residing or working in the area, nor will it adversely affect other property in the area. The permit for the expanded facility has been conditioned to require adherence to the operational standards and criteria contained in the *Correctional Placement Center Requirements* as adopted by City Council.

- D. THE PROPOSED USE WILL COMPLY WITH THE RELEVANT REGULATIONS IN THE SAN DIEGO MUNICIPAL CODE.

This finding can be made because the municipal code allows Correctional Placement Centers in the Southeast San Diego Planned District on a case by case basis with a Conditional Use Permit. The expanded work furlough facility will be required to meet the minimum standards for the operation of Correctional Placement Centers.

CONDITIONAL USE PERMIT FINDINGS:

- A. THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE NEIGHBORHOOD, THE GENERAL PLAN, OR THE COMMUNITY PLAN, AND, IF CONDUCTED IN CONFORMITY WITH THE CONDITIONS PROVIDED BY THE PERMIT, WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE AREA.

This finding can be made because the Southeast San Diego Planned District Ordinance allows Correctional Placement Centers with a Conditional Use Permit. The existing work furlough facility has operated under an exiting Conditional Use Permit without any adverse affect on the neighborhood and the expansion of that facility will have the same plus

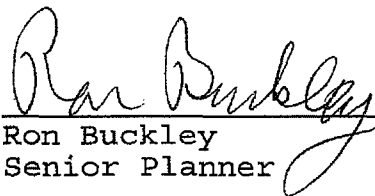
additional restrictions and therefore would not adversely affect the neighborhood, the General Plan or the Southeast San Diego Community Plan.

B. THE PROPOSED USE WILL COMPLY WITH ALL THE RELEVANT REGULATIONS IN THE SAN DIEGO MUNICIPAL CODE.

This finding can be made because the municipal code allows Correctional Placement Centers in the Southeast San Diego Planned District on a case by case basis with a Conditional Use Permit. The expanded work furlough facility will be required to meet the minimum standards for the operation of Correctional Placement Centers.

2. That said Findings are supported by maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Planning Commission, Southeast San Diego Development Permit/Conditional Use Permit Amendment No. 96-7113, is hereby GRANTED to Permittee in the form and with the terms and conditions set forth in Southeast San Diego Development Permit/Conditional Use Permit Amendment No. 96-7113, a copy of which is attached hereto and made a part hereof.



Ron Buckley
Senior Planner

Adopted on: May 8, 1997
Vote: 6-0



SOURCE: SanGIS, 2008; BRG Consulting, Inc., 2008

3/16/09



Fifth Amendment Central Imperial Redevelopment Project

Proposed Land Use Designations

FIGURE
4.1-13

F:\projects\512_redc_cip\final EIR\Chapter 4, Section 4.1\Figure 4.1-13 Proposed Land Use Designations.mxd

December 19, 2008

Leslie Lake

Assistant Director
4991 Imperial Ave
San Diego, Ca. 92113

Dear Ms. Lake:

This letter pertains to **Project No. 1334470: National Crossroads Inc., Conditional Use Permit to renew permit for an existing work furlough facility located at 4991 Imperial Ave.** It was scheduled as informational for the meeting of the Encanto Neighborhoods Community Planning Group (ENCPG) on March 17, 2008 and the background information was mailed to the ENCPG for prior review. A complete presentation was given with opportunities for Board members to ask questions.

Project No. 1334470: National Crossroads Inc., Conditional Use Permit to renew permit for an existing work furlough facility located at 4991 Imperial Ave was scheduled for action at the April 21, 2008 meeting of ENCPG. By report, residents are non violent offenders and have a curfew. Domestic Violence training, parenting, and job training is provided to participants. All residents must save 50% of their income while working the program. National Crossroads, Inc has positive relationships within the community and reported an average of 70% of the residents employed. Partnerships with Marine Corps and Balboa Hospital provide employment opportunities for residents. Twenty-two employees of National Crossroads, Inc are residents in 4th district, most are certificated and have advanced degrees. At least 3 staff persons is on duty at all times in addition to an in- house parole agent. The motion was made to approve the renewal of conditional use permit, seconded and carried with a vote of 12-0-0 for approval.

In closing, the ENCPG, by the unanimous vote above, support the efforts of National Crossroads, Inc to continue their mission to provide women parolees with residency, support services and resources that enable successful reintegration into the community in addition to working toward reunification with their families.

Sincerely,



DERRYL WILLIAMS, Chair
Encanto Neighborhoods Community Planning Group



City of San Diego
Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title NATIONAL CROSSROADS **Project No. For City Use Only** 134470

Project Address:
4991 Imperial Ave, 4997 Imperial Ave., 4996 Holly Drive

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes NO

Name of Individual (type or print):
Lisa Lake
 Owner Tenant/Lessee Redevelopment Agency

Street Address:
4991 Imperial Ave
 City/State/Zip:
San Diego
 Phone No: (619) 262-0868 Fax No: (619) 262-0868
 Signature: Lisa Lake Date: 05/06/07

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency

Street Address:
 City/State/Zip:
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of Individual (type or print):
Barbara Gonner
 Owner Tenant/Lessee Redevelopment Agency

Street Address:
4991 Imperial Ave
 City/State/Zip:
San Diego, Ca. 92113
 Phone No: (619) 262-0868 Fax No: _____
 Signature: Barbara Gonner Date: 05/06/07

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency

Street Address:
 City/State/Zip:
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____