



**Centre City  
Development  
Corporation**

**DATE ISSUED:** June 19, 2007 REPORT NO. PC-07-107

**ATTENTION:** Planning Commission, Agenda of June 28, 2007

**SUBJECT:** Senior Community Centers - Request for a Conditional Use Permit to Allow Senior Community Centers to Locate a Social Service and Congregate Meal Facility for seniors at 1122 Broadway – East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project

**OWNERS/APPLICANTS:** Senior Community Centers

**SUMMARY**

**Issue:** Should the Planning Commission recommend to the City Council approval of Conditional Use Permit 2007-22 to allow Senior Community Centers to locate a Social Service Institution and Congregate Meal Facility for seniors at 1122 Broadway, including an exemption from the ¼ mile separation requirement from other similar facilities within the East Village District of the Downtown Community Plan Area?

**Staff Recommendation:** Recommend that the City Council approve Conditional Use Permit 2007-22, subject to conditions.

**Centre City Development Corporation Real Estate Committee Recommendation** – On June 13, 2007, the Centre City Development Corporation (CCDC) Board voted 4-0 to recommend approval of Conditional Use Permit (CUP) 2007-22, subject to conditions.

**Community Planning Group Recommendation:** On June 20, 2007, the Centre City Advisory Committee (CCAC) voted 14-6 ( with 3 recusals) and the Project Area Committee (PAC) voted 12-6 (with 3 recusals) to continue to support the 1/4 mile separation requirement for Social Service and Congregate Meal Facilities; however, due to the sterling history of no complaints for the Senior Community Centers, the CCAC recommends approval of CUP 2007-22, subject to conditions.

**Environmental Review:** Under the 2006 Final Environment Impact Report (FEIR), an Environmental Secondary Study is prepared for all developments in the Centre City area in order to evaluate the project's compliance with the Downtown Community Plan and Planned District Ordinance and, therefore, the findings and conclusions of the FEIR. The project has been found to be in compliance with those planning documents and no further environmental review is required. The Environmental Secondary Study is attached for information purposes only, as no action is required for the administrative document.

**Fiscal Impact Statement:** There is no fiscal impact with this proposal.

**Code Enforcement Impact:** Not applicable.

**Housing Impact Statement:** Not applicable.

**BACKGROUND:**

SCC is currently located at 928 Broadway and provides seniors with a network of comprehensive, integrated senior programs and supportive services under Conditional Use Permit 88-0477, issued in 1988. Due to a pending lease expiration of March 31, 2008, SCC is proposing to relocate to the second floor of the newly constructed Smart Corner office building located at 1122 Broadway. The proposed relocation would be required to conform to the land use regulations of the City's Land Development Code (LDC) and the Centre City PDO, as proposed to be amended by the 2007 Amendments to the PDO being concurrently processed at this time.

The SCC facility is classified as a Social Service Institution as well as a Congregate Meal Facility; both uses are permitted with approval of a CUP in specific land use districts under the PDO. The Congregate Meal Facility may only be approved if separated by a ¼ mile from any other congregate meal facility, emergency shelter, or homeless day center (unless a Variance is approved). The proposed relocation site at 1122 Broadway currently lies within the Residential Emphasis District (as does the existing facility at 928 Broadway), which does not permit either use. In addition, the location is within a ¼ mile of other uses listed above including Rachel's Women's Emergency Shelter located at 815 E Street, the Salvation Army Adult Rehabilitation Center at 1335 Broadway and the YWCA Women's Emergency Shelter at 1012 C Street.

Staff is currently processing the 2007 Amendments to the PDO for consideration by the City Council. The Amendments include clean-up changes addressing needed clarifications and refinements, and some land use regulation changes including changes to the provisions of Social Services/Homeless facilities to allow modifications to the standard Citywide requirements for such facilities, including the ¼ mile separation requirement from other similar facilities on a case-by-case basis through the CUP process. The Amendments also include the rezoning of the six blocks along Broadway between 9<sup>th</sup> Avenue and Park Boulevard, in which both the current and proposed SCC facilities lie.

**DEVELOPMENT TEAM**

<b>ROLE/FIRM</b>	<b>CONTACT</b>	<b>OWNED BY</b>
Applicant: Senior Community Centers	Paul Downey, President/CEO	Privately Owned §501 (c) 3 Non-Profit (See Attachment C for list of Board of Directors)
Property Owner: San Diego Housing Commission	Betsy Morris, President/CEO	Public Agency

## DISCUSSION

SCC seeks approval of a CUP to allow relocation of a Social Service and Congregate Meal Facility for seniors and requests an exemption from the ¼ mile separation requirement from other similar facilities. The proposed relocation site is a 12,000 square-foot space located on the second floor of the newly constructed Smart Corner office building in the East Village neighborhood.

Operations in the new facility would mirror what is currently provided at the existing location and will operate 365 days per year. Hours of operation will be Monday through Friday 7:00 a.m. to 3:30 p.m. and Saturday and Sunday 8:00 a.m. to 2:00 p.m. Approximately 250–300 seniors aged 60 and older are projected to utilize the facility on a daily basis. A vast majority of the seniors served are low to moderate income; SCC estimates that approximately 3% of the seniors served are homeless. Services include congregate and home delivered meals, nutrition and health education, healthcare and social services, entitlement and legal counseling, and case management, all of which are critical for the survival, health, and independence of seniors living in an urban environment.

Approval of a CUP for a Social Service Institution and a Congregate Meal Facility requires that certain findings be made, including that the use will not adversely impact the applicable land use plan; will not be detrimental to the public health, safety and welfare; and complies to the maximum extent feasible with the regulations of the LDC and the PDO, thereby requiring an evaluation of the project's compatibility with the surrounding neighborhood. The Centre City Advisory Committee and the CCDC Board will make recommendations to the Planning Commission and City Council on the CUP.

## PROJECT ANALYSIS

The site at 1122 Broadway is proposed to lie within the Employment/Residential Mixed Use land use district. Under this land use classification, a Social Service Institution/Congregate Meal Facility may be permitted with the approval of a CUP.

## CONDITIONAL USE PERMIT FINDINGS

Under Section 126.0305 of the San Diego Municipal Code, the following four findings must be made in order to approve a CUP, as follows:

1. *The proposed use or development will not adversely affect the applicable land use plan.*

The facility has operated in downtown San Diego for 37 years, providing valuable services critical to the survival, health and independence of seniors living in an urban environment. The proposed relocation will not adversely affect the applicable land use plan as the PDO requires the review and approval of a CUP to address the proposed use and any issues that may conflict with the surrounding neighborhood.

2. *The proposed use or development will not be detrimental to the public health, safety, and welfare.*

The proposed use will not be detrimental to, but rather contribute to; public health, safety and welfare by providing seniors with needed services and meals at little or no cost. There is a growing population of seniors in downtown and SCC is the only facility serving this population. The relocation of the existing facility will provide health services, case management and basic nutritional needs for a neglected segment of the senior population. The proposed hours of operation and conditions of approval will ensure that the use is not a detriment to the public health, safety and welfare of the surrounding neighborhood.

3. *The proposed use or development will comply to the maximum extent feasible with the regulations of the Land Development Code.*

The proposed relocation of the facility is required to conform to the land use regulations of the City's Land Development Code, the Downtown Community Plan and the Centre City Planned District Ordinance, provided the proposed PDO Amendments being concurrently processed are approved, and the findings for the waiver of the ¼ mile separation rule is approved.

4. *The proposed use is appropriate at the proposed location.*

SCC is currently located at 928 Broadway (two blocks away) and provides seniors with a network of comprehensive integrated senior programs and supportive services. The proposed relocation site at 1122 Broadway will be located within the Employment/ Residential Mixed Use District which allows the proposed use with approval of a CUP. The location is appropriate as it is surrounded by a variety of commercial, residential and office uses. The proposed relocation site is located on the second floor of an existing office building, therefore minimizing impacts at the ground level and conveniently located to public transportation.

As part of their CUP application, SCC seeks an exemption to the City-wide ¼ mile separation regulation. Pursuant to the proposed Amendments to the PDO, this requested exemption is to be evaluated on a case-by-case basis provided one of two findings is made as follows:

- (a) *The proposed institution/facility is relocating from another location within the Centre City Planned District and the previous site vacates any existing CUP or Previously Conforming Use rights for such institution/facility; or*
- (b) *The institution/facility, due to its unique operations or clientele, will not adversely impact the surrounding neighborhood and there is a demonstrated need for the institution/facility that is not being met by existing services/facilities in the Downtown Community Plan area.*

Although this proposal is to relocate the existing facility, the existing CUP remains in place at 928 Broadway and cannot be vacated at this time as the City's lease with the operators of San Diego Square requires the provision of senior services at that location, although it is unknown at this time the extent and type of services that will be offered at that location. SCC is therefore seeking consideration of the exemption based on the second finding as SCC is the only senior social service facility and congregate meal facility in downtown San Diego providing services which include: congregate and home delivered meals, nutrition and health education, healthcare and social services, entitlement and legal counseling, and case management, all of which are critical for the survival, health, and independence of seniors living in an urban environment. SCC has stated that their services are vital to the health and well-being of seniors in downtown and if unable to relocate within downtown, some or all of these critical support services for seniors may cease to exist. The proposed relocation site will allow SCC to continue enhancing the quality of life for seniors, benefiting the entire downtown community.

### CONCLUSION

The meals and services provided by SCC are vital for seniors downtown. The loss of the facility would likely result in greater adverse impacts on seniors. Therefore, staff recommends that the Planning Commission recommend to the City Council approval of CUP No. 2007-22, subject to the following conditions:

1. The Permittee shall operate a 12,000 square-foot Social Service Institution and Congregate Meal Facility providing breakfast and lunch meals, nutrition and health education, healthcare and social services, entitlement and legal counseling, and case management for the senior population. There shall be no overnight accommodations provided.
2. This CUP shall become effective upon the effective date of the associated amendments to the Centre City PDO, reclassifying the site to the Employment/Residential Mixed Use land use district and adopting provisions allowing for the modification of the ¼ mile separation provision. Should either of these amendments not become effective for any reason, this CUP shall not become effective and shall be considered invalid.
3. Participants in this program shall be limited to sixty (60) years of age or older. No more than 300 persons shall be at the facility at any one time.
4. The facility may be open between the hours of 6 a.m. and 10 p.m. seven days of the week.
5. All activities associated with the facility, including the serving of food and beverages shall occur within the confines of the building.

6. Patrons of the facility shall not loiter on the sidewalks directly in front of the facility. A designated waiting area shall be established within the enclosed entry area for participants and employees.
7. Patrons of the facility shall be advised by Senior Community Center staff of all rules of the facility and be discouraged from loitering in the area before, during, or after the hours of operation.
8. The Permittee shall maintain the premises and adjacent public sidewalks free of litter.
9. The facility shall provide off-street parking at a rate of 1 space per full-time equivalent employee, calculated at 8 hours of working time per employee per 24-hour period.
10. If at any time the City or CCDC receive complaints that are validated as violations of the terms of the Permit or the activities permitted under the Permit constitute a "public nuisance" as defined by the City of San Diego Municipal Code, then a public hearing shall be scheduled to review the Permit. If after holding a duly noticed public hearing, it is determined that violations of the Permit exist or that any or all aspects of the activities permitted by this Permit constitute a public nuisance, then the conditions of the Permit may be modified or extended, or the Permit revoked.
11. This Permit is valid for 20 years with two five-year extensions available consistent with any extensions of the lease.

Respectfully submitted,



Brad Richter  
Principal Planner



Lucy Contreras  
Assistant Planner

Attachments: A - Project Drawings including Vicinity Map, Site Plan, and Floor Plan  
B - Draft Conditional Use Permit 2007-22  
C - Senior Community Centers' Correspondence  
D - Senior Community Centers' List of Board of Directors  
E - Social Service Provider/Homeless Facilities ¼ mile Separation Map  
F - 2007 PDO Amendments Proposed Land Use Districts Map  
G - Environmental Secondary Study  
H - Correspondence Received