

**DATE ISSUED:** September 11, 2008

**REPORT NO. PC-08-111**

**ATTENTION:** Planning Commission, Agenda of September 18, 2008

**SUBJECT:** San Diego Community Treatment Center – Consideration of a request for a two-year extension of Conditional Use Permit No. 40-0111, allowing the continued operation of a Correctional Placement Center located at 502 Tenth Avenue in the East Village District of the Downtown Community Plan Area – Process Four

**REFERENCE:** None

**OWNER/**

**APPLICANT:** Lula Porter, San Diego Community Treatment Center

**SUMMARY**

**Issue(s):** Should the Planning Commission grant an extension of two years to Conditional Use Permit (CUP) 40-0111 allowing the continued operation of a correctional placement facility located at 502 Tenth Avenue within the East Village District of the Downtown Community Plan Area?

**Staff Recommendation:**

Deny the application for a two-year extension request for CUP 40-0111.

**Alternative Recommendation:**

Grant the two-year extension request for CUP 40-0111 subject to specific conditions as recommended by staff at the end of this report.

**Community Planning Group Recommendation:** This item will go before the Centre City Advisory Committee (CCAC) on September 17, 2008. Staff will provide an oral report on the CCAC recommendation at the Planning Commission meeting.

**Other Recommendations:** The CCAC Social Issues Subcommittee voted 4 in favor and 1 opposed to recommend that the Planning Commission grant the extension to CUP 40-0111 for a reasonable period of time to allow for relocation of the San Diego Community Treatment Center.

On August 7, 2008, the East Village Association voted unanimously to recommend that the Planning Commission deny the two-year extension request for CUP 40-0111.

On August 21, 2008, the East Village Community Action network voted to recommend that the Planning Commission deny the two-year extension request for CUP 40-0111.

**Environmental Review:** This extension request to continue operations of an existing facility is Categorically Exempt from the California Environmental Quality Act, Class I, Existing facilities.

**Fiscal Impact Statement:** None

## **BACKGROUND**

The San Diego Community Treatment Center is classified as a Correctional Placement Center under the Centre City PDO and City of San Diego Land Development Code (LDC). Correctional Placement Centers may be permitted with a Conditional Use Permit (CUP) approved in accordance with Process 4, requiring Planning Commission approval in specific land use districts. Correctional Placement Centers are considered Separately Regulated Land Uses subject to specific criteria outlined in Section 141.0406 of the LDC and may only be approved if separated by: ¼ mile of any type of residential care facility, social service institution, or similar type of facility; within 1 mile of another correctional placement center; 1,000 feet of a school, library, public park or recreation area; or 600 feet of property zoned for residential development.

The San Diego Community Treatment Center has requested an extension of CUP 40-0111 to allow a correctional/rehabilitation program for up to 42 residents to continue to operate in an existing 6,000 square foot building located at 502 Tenth Avenue. The San Diego Community Treatment Center (Center) is a non-medical narcotic and alcohol abuse (NA/AA) program available for parolees of the State of California Correctional System. The center provides group counseling to address issues of substance abuse, education needs & skills, family related discussions, social and other problems connected with substance abuse offenders. The program provides 24 hour monitored supervision, three balanced meals a day, counseling and supportive programs, substance abuse programs, random urinalysis testing, job development skills, medical TB testing, and screening for longer term programs. Only parolees referred and recommended by a State of California parole agent qualify for the program. The facility does not accept walk-ins and parolees may not leave the facility until their program is complete. The period of residential stay is a minimum of 21 days but not to exceed 30 days. Upon completion of the program, parolees are picked up at the facility by the Department of Corrections staff. Parolees are not allowed to be released from the facility directly into the neighborhood.

## **DISCUSSION**

The program originally received a CUP on December 5, 1989 (CUP 89-0524) for a period of five years. The facility opened on, and has been operating continuously since, March 11, 1991. The CUP was subsequently extended several times: on March 31, 1995 (CUP 95-0072) for a five-year period; on March 3, 2000 (CUP 40-0111) for an additional five years; and, on June 16, 2005 for an additional three years. This extension request was submitted on May 8, 2008 and automatically extends the permit until action is taken on the request.

This site is located within the East Village District at the northwest corner of Tenth and Island avenues. The property is located within the Mixed Use/Residential Emphasis District. Correctional Placement Centers are no longer allowed within this zoning district and this use is therefore considered a Previously Conforming Use and subject to San Diego Municipal Code Chapter 14, Article 7, Division 1.

The area surrounding the Center has undergone a significant transformation in the last three years with the completion of numerous construction projects and stabilization of the neighborhood. Several mid-and high-rise residential projects have been completed including: the M2I condominiums to the east; The Mark condominiums and town-homes to the west; and, the Fahrenheit condominiums to the southeast of the Center. In addition, there are two new projects currently under construction on the same block as the Center which include the Hotel Indigo directly next door to the west and the Strata apartment project to the north. These projects are anticipated to be completed in the summer and fall of 2009, respectively.

The applicant stated in information provided in the application for extension in 2005 that the Center was actively seeking to relocate outside of the downtown area. It was envisioned that by the end of the three-year period (June 30, 2008) the Center would have secured a new location and would no longer be operated at this site. However, the Center has been unable to find an alternate location over the course of the past three years. Therefore, in order to continue their search in finding a new location, and sufficient time to obtain the required discretionary land use entitlements and building permits to move, the Center is seeking to extend their CUP for an additional two year period. In addition, the State Department of Corrections will award a contract to the facility for an additional two year period, to expire in 2010, if the CUP extension is granted. The contract, unlike the CUP which runs with the land, can move with the facility. The applicant has stated that in order to successfully relocate, an extension of the CUP is required to obtain the contract and potentially operate at a new location, as the State contracts are only awarded every two years.

Over the course of several years, the neighborhood has undergone significant transformation, with the addition of over 1,400 residential units within a two-block radius of the facility and the addition of a number of ground level active commercial uses which now activate the street providing a pedestrian friendly environment. The site is located within the Employment/Residential Mixed-Use district, which is intended to provide for mixed-use neighborhoods and permits a variety of uses including office, hotel, residential, and educational facilities. The Center no longer meets the intent of the district, the Downtown Community Plan or the Centre City PDO, which does not permit such a facility in land use districts with large amounts of residential uses. Therefore the use is no longer appropriate at this location now that the neighborhood has transitioned from a commercial/warehouse district to a predominantly residential, mixed-use district. In addition, the Center is located in an unattractive building containing wrought iron window bars, and poor fencing made of a combination of corrugated metal and chain link, and is in need of significant improvements to the exterior façade. The time has come for the facility to either close or relocate, allowing for the redevelopment of the site pursuant to the development regulations under the Centre City PDO.

The location restrictions for Correctional Placement Centers provided in the LDC have been established to provide adequate buffers from sensitive land uses including residential, educational facilities, and parks and open space. It has been determined by the LDC and the PDO that these types

of uses are more appropriate in commercial and industrial areas to ensure that the centers are compatible with the surrounding neighborhood and will not create adverse impacts to the surrounding community.

The applicant has stated that progress has been made in finding a suitable location outside the downtown area and has found a potential relocation property. The Center has been engaged in negotiations with the property owner and has been in contact with City of San Diego Development Services staff regarding the potential relocation site and submittal of a preliminary review application. The applicant has indicated that they will be aggressively pursuing this potential site; including moving forward with acquisition and seeking permit approval from the City of San Diego to successfully relocate. Based on the information provided, the applicant anticipates that if the process goes smoothly, the Center could transition from its location at 502 Tenth Avenue to a new location by July 1, 2009. However, this process is just beginning and it is unknown if this effort will prove successful.

### **CONDITIONAL USE PERMIT FINDINGS**

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

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

Correctional Placement Centers are no longer an allowable use within the Employment/Residential Mixed-Use zoning district. The Center has been operating as a Previously Conforming Use at this location for nearly 19 years with no change, while the surrounding community has undergone a significant transformation. The previous extension was granted on the basis that a short-term continuation of the treatment facility would not adversely affect the neighborhood or the goals of the Centre City Community Plan due to the number of projects under construction; however, over the course of the three year period the neighborhood significantly changed with a number of mainly residential projects. The use is no longer appropriate at this location and the continued use of the Center would adversely affect the land use regulations by allowing this use within the residential mixed-use neighborhood.

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

The LDC and PDO do not currently allow Correctional Placement Centers to be located within

¼ mile of any type of residential care facility, social service institution, or similar type of facility; within 1 mile of another correctional placement center; 1,000 feet of a school, library, public park or recreation area; or 600 feet of property zoned for residential development in order to provide adequate buffers from sensitive land uses and to protect the public health, safety and welfare of both the surrounding neighborhood and the clients of the Center. Although, the Center has been at this location as a Previously Conforming Use for nearly 19 years with no history of problems, the potential for disruptions in the future exists

if the facility remains within close proximity to the recently established uses. CCDC has received complaints and concerns about the Center from neighbors.

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

The Center's use and the structure in which it is located are no longer consistent with the provisions of the Centre City PDO and the LDC in either land use or minimum development or design criteria. The Center was last reviewed in 2005 and an extension granted on the basis that it would continue for a short period of time to allow the Center to relocate.

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

The continued operations of the Center are no longer appropriate at 502 Tenth Avenue. The neighborhood in which the Center is located has transitioned from a mainly commercial area into a primarily residential neighborhood with the addition of over 1,400 residential units and various active commercial uses. The Center is located in a building which no longer fits in with the character of the surrounding area and is in need of significant improvements.

### **CONCLUSION**

The San Diego Community Treatment Center has been at 502 Tenth Avenue for nearly 19 years, established during a time when the surrounding area consisted primarily of warehouses, storage facilities, and auto repair shops. Overtime, the area has undergone a complete transformation with continued increases in residential and commercial activity. It is envisioned that as the neighborhood continues to develop there will be an increase in accessory uses such as parks, schools, neighborhood shopping and services. These uses are the very same uses that the PDO and the LDC seek to buffer Correctional Placement Centers from. As time goes by and the area continues to grow around it, the Center becomes more incompatible with the surrounding neighborhood. The Center has been given what staff believes to be more than sufficient time to seek a suitable place to relocate and cannot support any additional extension requests under the same premise year after year. The time has come for the Center to close or relocate, allowing further redevelopment of the area consistent with the Community Plan.

Based on this discussion, staff recommends that the Planning Commission deny the request for extension of Conditional Use Permit 40-0111.

### **ALTERNATIVE**

If the Planning Commission is inclined to grant an extension of CUP 40-0111 for the requested additional two-years and is able to make the findings discussed above, staff recommends the following conditions be incorporated into the Permit:

1. The Permittee shall submit and obtain approval from CCDC for upgrades to the existing building including, but not limited to; painting of the building, addition of street level

awnings; replacement of fencing to a more uniform solid fencing; installation of decorative lighting; and, removal of the wrought iron security bars over windows.

2. The Permittee shall repair the adjacent streetscape improvements to avoid any potential trip hazards.

Respectfully submitted,



Lucy Contreras  
Associate Planner

**Centre City Development Corporation**

Attachments:

- A - Conditional Use Permit 40-0111
- B - Floor plans
- C - Program Summary
- D - Photographs of Interior & Exterior
- E - 2005 Extension Staff Report and Application
- F - 2008 Application and Supporting Materials
- G - Public Correspondence

# Attachment A

Conditional Use Permit 40-0111

9580

DOC # 2005-0523313



JUN 22, 2005 11:56 AM

OFFICIAL RECORDS  
SAN DIEGO COUNTY RECORDER'S OFFICE  
GREGORY J. SMITH, COUNTY RECORDER  
FEES: 19.00  
PAGES: 5



2005-0523313

**RECORDING REQUESTED BY:**

Centre City Development Corporation  
225 Broadway, Suite 1100  
San Diego, CA 92101

FB  
GP

**AND WHEN RECORDED MAIL TO:**

Centre City Development Corporation  
225 Broadway, Suite 1100  
San Diego, CA 92101

THIS SPACE FOR RECORDER'S USE ONLY

NOTE: COUNTY RECORDER, PLEASE RECORD AS  
RESTRICTION ON USE OR DEVELOPMENT  
OF REAL PROPERTY AFFECTING THE TITLE  
TO OR POSSESSION THEREOF

**CENTRE CITY CONDITIONAL USE PERMIT NO. 40-0111 EXTENSION**

**SAN DIEGO COMMUNITY TREATMENT CENTER**

**502 TENTH AVENUE**

**DECISION OF THE HEARING OFFICER OF  
CENTRE CITY DEVELOPMENT CORPORATION**

**CONDITIONAL USE PERMIT NO. 40-0111 EXTENSION**

WHEREAS, on March 14, 2005, Lula Porter, San Diego Community Treatment Center, owner/applicant, filed a request to extend Conditional Use Permit 40-0111 to allow the continuation of the parolee substance abuse treatment center located at 502 Tenth Avenue. The site, described as Lot G in Block 100 of Horton's Addition in the City of San Diego, County of San Diego, State of California, according to the map thereof on file in the Office of the County Recorder of San Diego County, is located in Land Use Area C - The Mixed Use/Residential Emphasis District of the Centre City Community Plan Area; and,

WHEREAS, on June 16, 2005, the Designated Hearing Officer of the President of Centre City Development Corporation (CCDC) held a duly noticed public hearing and considered the extension request, including a staff report and recommendation and public testimony, pursuant to Sections 126.0304, 126.0305, 103.1904 and 103.1925 of the Municipal Code of the City of San Diego.

NOW, THEREFORE, BE IT RESOLVED by the CCDC Hearing Officer as follows:

- a. *That the proposed use or development will not adversely affect the applicable land use plan;*
- b. *That the proposed use or development will not be detrimental to the public health, safety, and welfare;*
- c. *That the proposed use or development will comply to the maximum extent feasible with the regulations of the Land Development Code; and*
- d. *The proposed use is appropriate at the proposed location.*

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 40-0111 is hereby GRANTED an extension, subject to the following conditions:

1. Permission is granted to Owner/Permittee to operate a correctional/rehabilitation program for up to 42 residents in an existing 6,000 square foot building located at 502 Tenth Avenue.
2. Conditional Use Permit 40-0111 is hereby extended for a period of three years, to expire on June 30, 2008. Upon such date this Conditional Use Permit shall be void, unless an additional extension is approved.

3. The Owner/Permittee shall provide evidence that the facility has a binding contract for a correctional/rehabilitation program with a government agency consistent with this permit to the satisfaction of CCDC.
4. The correctional/rehabilitation program shall be for the benefit of, but not limited to, parole violators, prostitutes, drug & alcohol abusers, and other misdemeanors to the satisfaction of the President of CCDC. The program shall prohibit the acceptance of any violent crime or sex offenders.
5. Participants of the program shall be prohibited from driving a motor vehicle to or from the facility. Participants of the program shall be prohibited from leaving and returning to the facility until completion of their rehabilitation program.
6. A minimum of one staff member is to be awake and on duty at all times. Security, in the form of staff or TV monitor, shall be present at all times at the courtyard staircase to ensure that participants of the program do not leave the premise.
7. The proposed security, alarms on all exterior exits and closed-circuit TV monitors, is to be installed and maintained at all times.
8. The exterior of the building shall be maintained for the life of the CUP to the satisfaction of CCDC.
9. Participants of the program shall not loiter around the surrounding sidewalks and streets.
10. Surrounding streets and sidewalks shall be maintained in a litter/trash free condition at all times.
11. This permit is subject to a yearly review by CCDC staff. The yearly reviews shall be for adherence to the conditions of this permit. If the facility is found to be in violation of any conditions of this permit, the matter shall be scheduled for an immediate public hearing to show cause why the permit should not be revoked. This Permit may be revoked by CCDC if there is a material breach or default in any of the conditions of this permit. If the business creates a nuisance to the surrounding neighborhood, based on a determination of the President of CCDC, this permit may be revoked after the holding of a public hearing.
12. This approval shall not become effective until:
  - a. The Permittee signs and returns the Permit to CCDC; and
  - b. The Permit is recorded in the Office of the County Recorder.

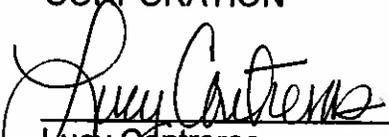
- 13. The Property shall not be used for other any uses except those specified in this permit unless:
  - a. Authorized by CCDC; or
  - b. The uses are consistent with all zoning and development regulations of the Centre City Planned District Ordinance; or
  - c. This permit has been revoked by CCDC.
  
- 14. This Permit is a Covenant running with the lands 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 set out in this permit and all referenced documents.

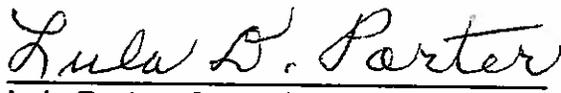
Passed and adopted by the President of CCDC on June 16, 2005

ATTEST:

CENTRE CITY DEVELOPMENT CORPORATION

PERMITTEE(S) SIGNATURE

  
 Lucy Contreras                      6/21/05  
 Assistant Planner                      Date

  
 Lula Porter, Owner/Applicant  
 San Diego Community Treatment Center

State of California

County of San Diego

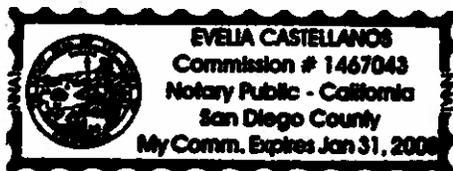
On June 21, 2005 before me, Evelia Castellanos, Notary Public  
Date Name, Title of Officer

personally appeared Mrs. Dolores Porter, Owner  
Name(s) of Signer(s)

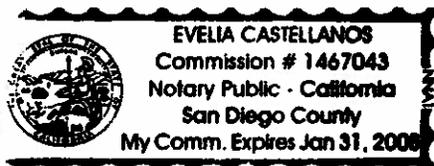
     personally known to me - OR -

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she they executed the same in his/her their authorized capacity(ies), and that by his/her their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



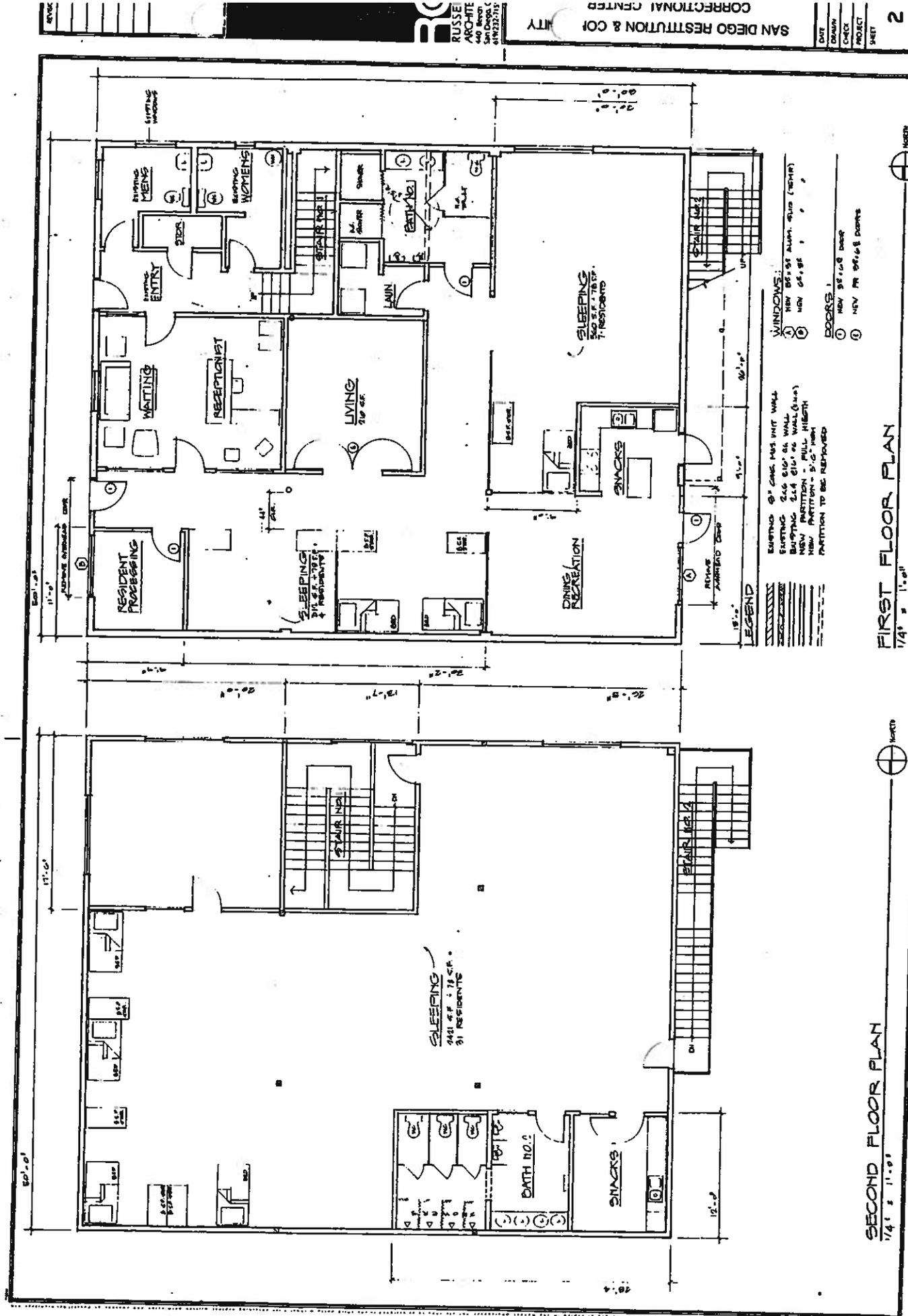
Evelia Castellanos  
Signature of Notary



# Attachment B

## Floor plans





# Attachment C

## Program Summary

# SAN DIEGO COMMUNITY TREATMENT CENTER

502 TENTH AVENUE  
SAN DIEGO, CALIFORNIA 92101  
(619) 239-7181

## PROGRAM FORMAT

The San Diego Treatment Center is a non-medical narcotic abuse, alcohol (NA/AA) program available for Parolees. In order for the Parolee to qualify for the Program, he needs to be referred and recommended by his Parole Agent, whom is with the Department of Corrections. Upon this referral, the Parolee will then be accepted to the Center.

The Center provides a non-medical setting in which the counseling staff offers the Parolee the knowledge of process of which assists the Parolee in his desire to change his lifestyle.

The period of residential stay is a minimum/maximum length of 21 days not exceeding 30 days.

Under this program, the Center provides quality group counseling to address the issues of substance abuse, educational needs & skills, family related discussions, social and other problems connected with substance abuse offenders.

San Diego Treatment Center provides all necessary staff that is qualified to give adequate supervision of the Center, also its' materials, equipment, and licenses.

Program elements include, but are not necessarily limited to supportive services. These supportive services are as follows:

- \* 24hr/Monitored Supervision
- \* Three Balanced Meals (2 hot/1 cold (lunch))
- \* Counseling/Supportive Programs
- \* Substance Abuse Program - "Framework To Recovery" & "Breaking Barriers" Mandatory 6 hour sessions daily.
- \* Urinalysis Randomly Tested
- \* Reports to Parole Agents
- \* Job Development Skills
- \* Medical TB Testing
- \* Screening By Advocate for longer term program

# SAN DIEGO COMMUNITY TREATMENT CENTER

502 TENTH AVENUE o SAN DIEGO, CA 92101  
(619) 239-7181

## PROFILE

The San Diego Community Treatment Center is a pilot program which opened March 11, 1991.

The program is conducive to the needs of "substance abusers" and provides a 42-bed per day maximum facility including a locker and storage space for each parolee.

The living area is a dormitory styled and is has been renovated to specifications as required by our current Conditional Use Permit and meets the requirements outlined by the Fire Code and has 'Fire Marshall Clearance bearing witness to the buildings conformity.

## PARTICIPANT REQUIREMENTS

A participant is admitted to the Center by referral from his parole agent. All parolees are required to remain a the Center from 21 to 31 days unless released by their parole agent.

## TRAINED STAFF

The Center is staffed 24-hours per day by qualified/trained staff.

## ORIENTATION

Participants are given orientation upon arrival to the Center and allowed three (3) days or longer to "kick" the drug usage (depending upon the degree of use). The 'kick' period is at the discretion of the Director.

## CLASSES

On the fourth day or the day following the designated 'kick' period, the parolee begins 6 hours of classes daily, which includes "Breaking Barriers to Recovery Class" with tapes by Gordon Graham and "Framework to Recovery Class" taught by trained house facilitators.

The Center provides a literacy room and a licensed school teacher to assist in educational growth using a one-on-one approach to counseling and the "LIGHT" program designed for substance abuse.

## MEALS

The Treatment Center serves the parolees three (3) meals per day and also provides laundry service to the parolees once a week. Washers and dryers are available for the parolees personal laundry/clothing use.

Profile (cont.)

### TOILETRIES

The Center provides each parolee with toiletries, i.e., razors and blades, soap, shampoo, deodorant, comb and brush, toothbrush and toothpaste and minor medical supplies.

### JANITORIAL SUPPLIES

The Center supplies all cleaning and janitorial needs and are made available to the parolee as required.

### SMOKE BREAKS

Participants must take smoke breaks outside the building on the facility's grounds during class with 40 minute intervals. ALL CLASSES ARE MANDATORY.

### COUNSELING

The Center provides personal and drug counseling; employment and life skills counseling and counseling on any prevailing problem(s) associated with the Center.

### HEALTH AIDE

The Center provides HIV counseling once a month. A speaker from the Educational Development Department assists the parolees in the proper way to dress and look when seeking employment.

### FOLLOWUP REFERRAL

When a parolee completes program, the Center offers referrals to other programs that will help the individual maintain a clean and drug-free lifestyle.

### EXIT INTERVIEW

When a parolee is exiting, a resident plan is given which is designed to aide the participant from returning to the same environment which harbors drugs and access to drugs. The plan is to exit the parolee into an environment which offers proper tools to maintain change from the prior lifestyle.

### RECORD RETENTION

All records are retained at the Center and maintained in a professional manner. Records are made available to all parole agents.

# SAN DIEGO COMMUNITY TREATMENT CENTER

502 TENTH AVENUE  
SAN DIEGO, CALIFORNIA 92101  
(619) 239-7181

## DAILY SCHEDULE

6:00am	Wake Up - Personal Hygiene - Make Beds, etc.
7:00-7:45	Breakfast
7:45-8:45	Inspection - Bed Area, Cleaning Assignments
8:45-9:15	Medication
9:15-9:30	Money Call
10:00-12:00	Frame Work and Recovery
12:00-1:00pm	LUNCH
1:00-5:00	Frame Work and Recovery
5:00-5:30	DINNER
5:30-7:00	Yard - Free Time
7:00-8:30	Speakers - A/A, N/A, C/A - Self Development
8:30-10:30	Phone - Free Time
10:30-11:00	Clean Up
11:00-6:00am	Downstairs Closed
11:30pm	Lights Out

Special Note: Meetings are Mandatory Monday thru Friday (unless otherwise approved by the Director).

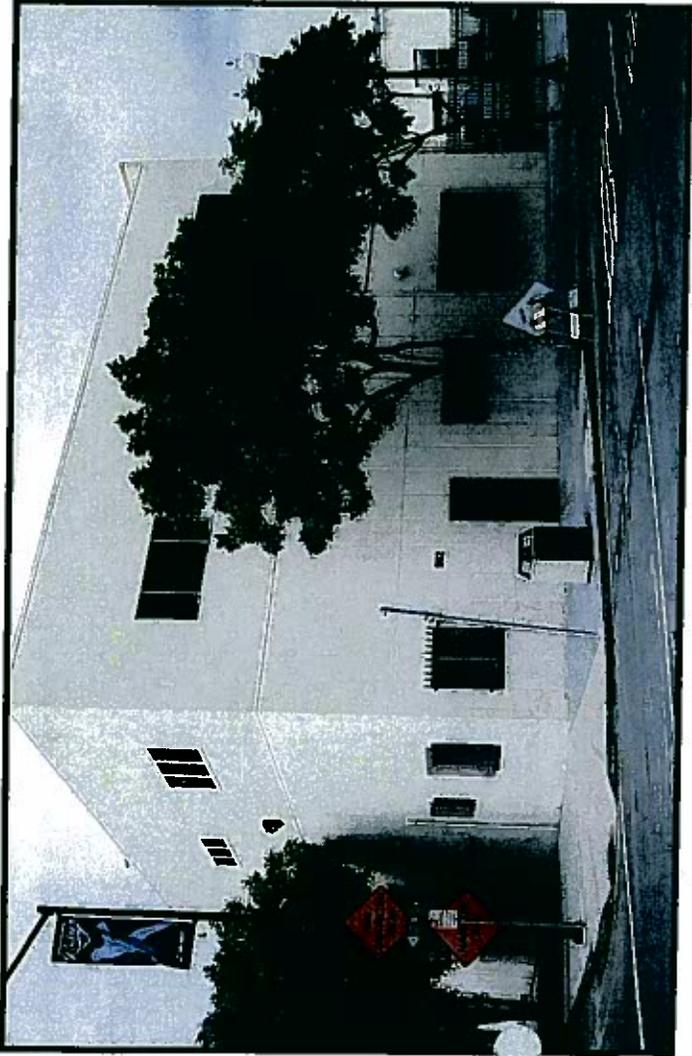
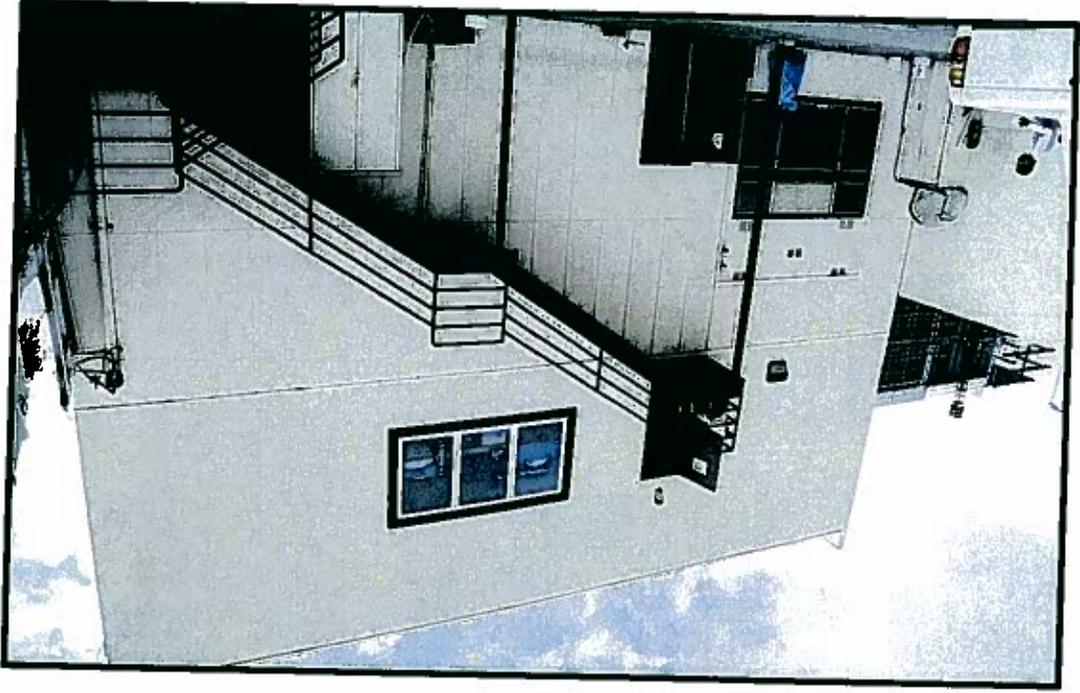
Failure to comply to scheduled activities will be cause for documentation and cause to be reported to Parole Agent. Second documentation will be reason for relocation.

Special Sessions: Sunday Church Services 10:00-11:30am  
Aids Education - Twice Monthly  
EDD Job Development, Job referrals  
Jim Saunders - Every 21 days

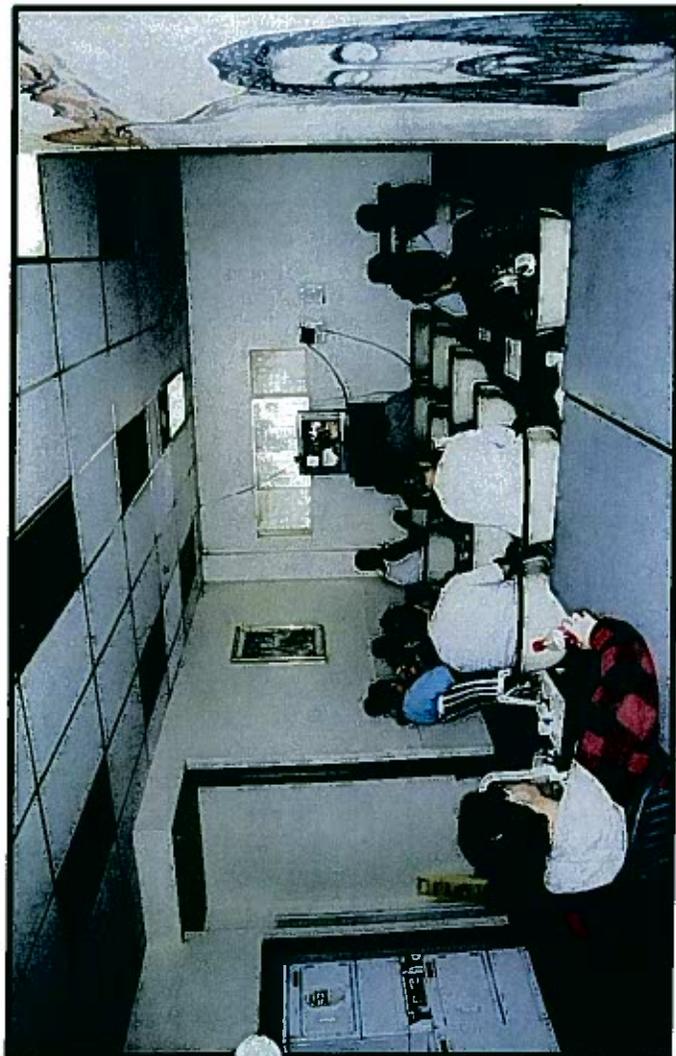
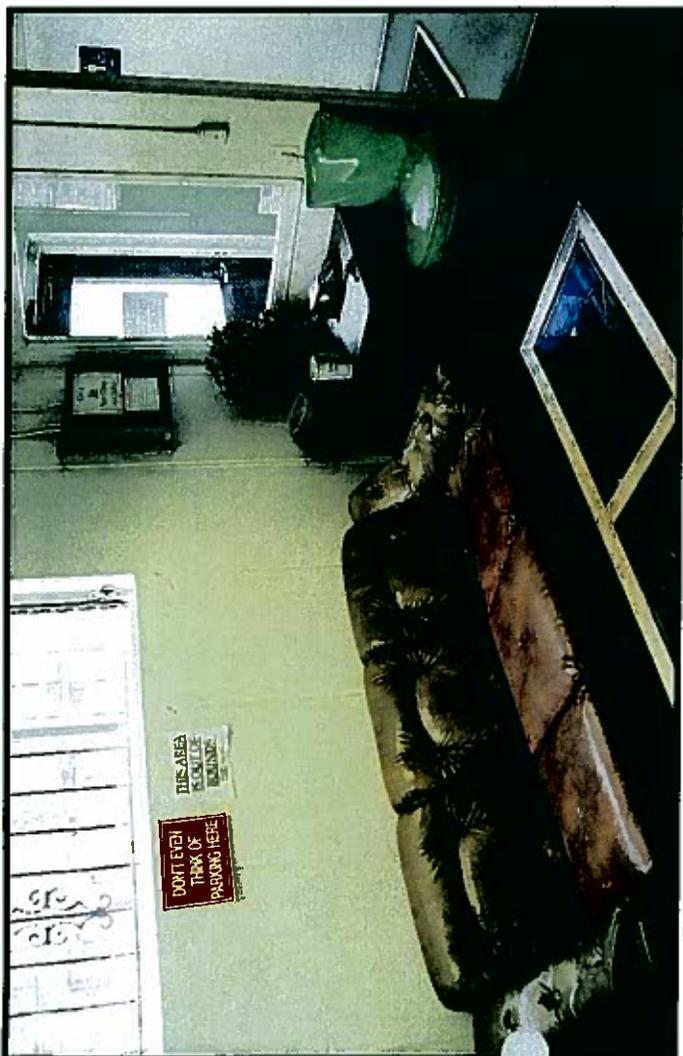
# Attachment D

## Photographs of Interior & Exterior

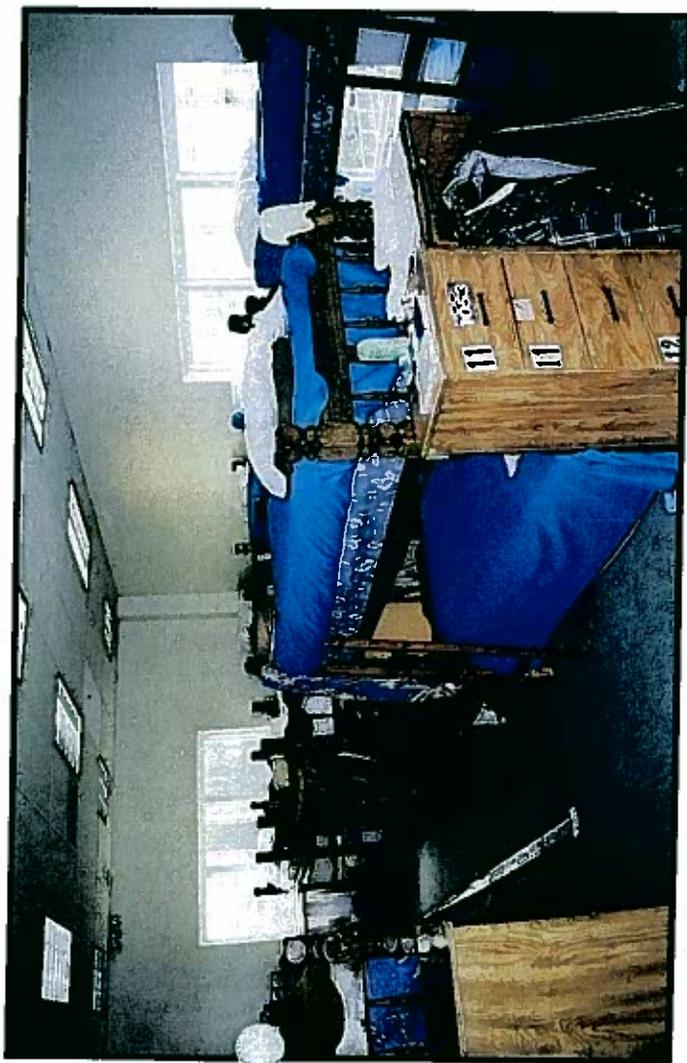
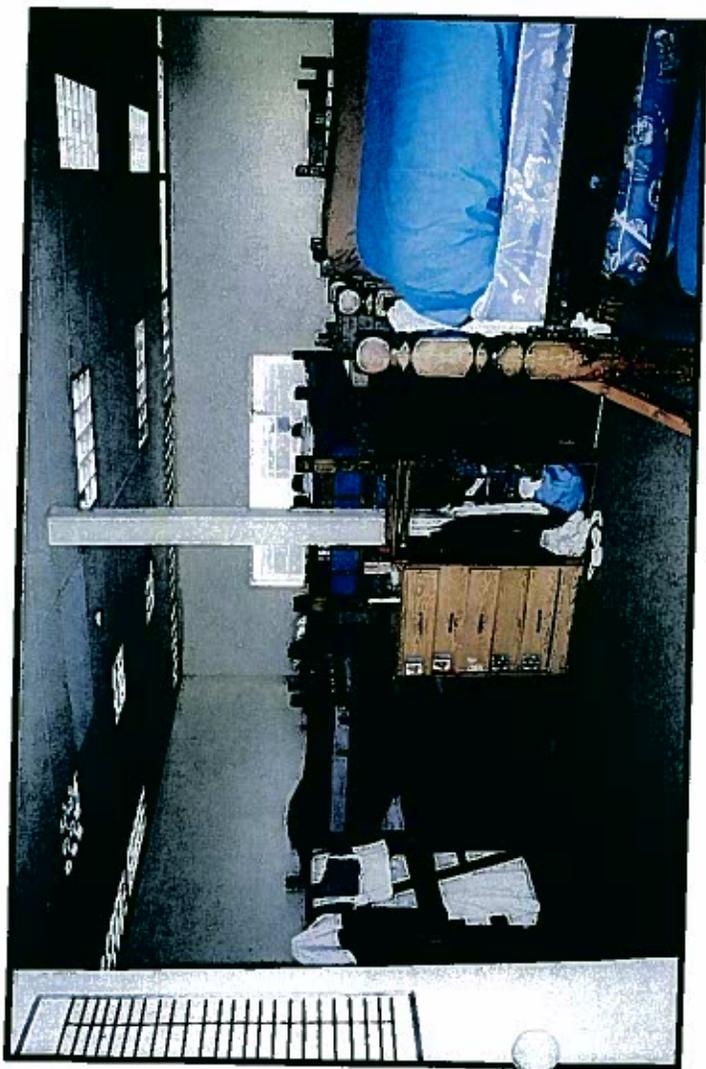
ELEVATION



1ST FLOOR



2ND FLOOR



# Attachment E

## 2005 Extension Staff Report and Application

## **MEMORANDUM**

**DATE:** May 26, 2005

**TO:** CCDC HEARING OFFICER

**FROM:** LUCY CONTRERAS, ASSISTANT PLANNER

**SUBJECT:** PUBLIC HEARING - CONSIDERATION OF A REQUEST BY THE SAN DIEGO COMMUNITY TREATMENT CENTER TO EXTEND CONDITIONAL USE PERMIT (CUP 40-0111) TO ALLOW A CORRECTIONAL PLACEMENT FACILITY LOCATED AT 502 TENTH AVENUE IN THE EAST VILLAGE DISTRICT OF THE CENTRE CITY COMMUNITY PLAN AREA TO CONTINUE TO OPERATE.

### **RECOMMENDATION**

It is recommended that the Hearing Officer grant the extension request for Conditional Use Permit (CUP) 40-0111 subject to the conditions listed in the Draft Permit listed in Attachment A to this report.

### **ANALYSIS**

The project applicant, Lula Porter, director of the San Diego Community Treatment Center, has requested an extension of Conditional Use Permit CUP 40-0111 (Attachment B) to allow a correctional/rehabilitation program for up to 42 residents to continue to operate in an existing 6,000 square foot building located at 502 Tenth Avenue. Floor plans and photographs of the center are included as Attachments C and D.

The San Diego Community Treatment Center is a non-medical narcotic and alcohol abuse (NA/AA) program available for parolees of the State of California Correctional System. The pilot program originally received a CUP on December 5, 1989 (CUP 89-0524) and opened on March 11, 1991. The CUP was renewed on March 31, 1995 (CUP 95-0072) for a five-year period to expire on March 31, 2000 and was subsequently renewed on March 3, 2000 (CUP 40-0111) for an additional five years. Fully aware of the emerging residential neighborhood, Ms. Lula Porter has been actively seeking a place to relocate the center. She is considering sites outside the downtown area. In order to allow her sufficient time to obtain permits for the new location and move the center, she has submitted a request to extend the CUP for a period of two years. On January 1, 2005, Ms. Porter was awarded a State Department of Corrections contract which allows her to run the center until June 30, 2008.

The center provides quality group counseling to address issues of substance abuse, education needs & skills, family related discussions, social and other problems connected with substance abuse offenders. The program provides 24 hour monitored supervision, three balanced meals a day, counseling and supportive programs, substance abuse programs,

random urinalysis testing, job development skills, medical TB testing, and screening for longer term programs. Only parolees referred and recommended by a State of California parole agent qualify for the program. The period of residential stay is a minimum of 21 days but not to exceed 30 days.

This site is located within the East Village District at the northwest corner of Tenth and Island avenues. The property is located within Land Use Area C – The Mixed Use/Residential Emphasis District. Correctional placement facilities are no longer allowed within this zoning district and this use is therefore considered a previously conforming use and is subject to San Diego Municipal Code Chapter 14, Article 7, Division 1.

### CONDITIONAL USE PERMIT FINDINGS

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

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

Although correctional placement facilities are no longer an allowed use within this zoning district, the San Diego Community Treatment Center has been operating as a previously conforming use at this location for nearly 15 years with no history of problems or disruption to the surrounding community. The short-term continuation of the residential treatment facility will not adversely affect the neighborhood or the goals of the Centre City Community Plan.

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

The San Diego Community Treatment Center provides a vital service to the community as a whole. The center operates a one of a kind pilot program that has received praise from the State Department of Corrections. The center has no history of problems or disruptions to the surrounding community. The extension of the CUP for a period of two years would not be detrimental to the public health, safety, and welfare.

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

Extension of the Conditional Use Permit is consistent with Land Development Code Section 127.0102 regarding previously conforming uses. The center was last reviewed in 2000 and was reissued a CUP at that time. Extension of the CUP would be consistent with the regulations of the Land Development Code.

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

The proposed use is no longer appropriate at this location in that the center is a previously conforming use and the neighborhood is becoming primarily residential. The center is actively seeking to relocate, and the proposed two-year extension would allow the center sufficient time to move. It is envisioned that by the end of the two-year

period the center will have secured a new location and will no longer be operated at this site.

Based on this discussion, staff recommends that the Hearing Officer approve the extension of Conditional Use Permit 40-0111 for a period of two years, subject to the conditions as outlined in the attached Draft Permit in Attachment A.

Attachments:   A - DRAFT Conditional Use Permit  
                  B - Conditional Use Permit 40-0111  
                  C - Floor plans  
                  D - Photographs of Interior & Exterior  
                  E - Correspondence

Project Number: 2005.28  
 Project Name: SD COMMUNITY TREATMENT CTR.  
 Site Address: 502 TENTH AVENUE  
 Project Area: EAST VILLAGE  
 Submittal Date: 3-15-05

# CENTRE CITY DEVELOPMENT PERMIT APPLICATION

- Type of Permit(s) you are applying for:
- CENTRE CITY DEVELOPMENT PERMIT
  - COASTAL DEVELOPMENT PERMIT
  - CONDITIONAL USE PERMIT
  - NEIGHBORHOOD USE PERMIT
  - NEIGHBORHOOD DEVELOPMENT PERMIT
  - VARIANCE
  - GASLAMP QUARTER SPECIAL PERMIT
  - GASLAMP COMPREHENSIVE SIGN PLAN
  - MARINA DEVELOPMENT PERMIT
  - MARINA PDO EXCEPTIONS
  - OTHER (SPECIFY) EXTENSION OF CUP

APPLICANT	<u>SAN DIEGO COMMUNITY TREATMENT CENTER</u> <span style="float: right;">(619) 239-7181</span>		
	NAME (print)	TELEPHONE / FAX	CONTACT PERSON
	<u>502 TENTH AVENUE SAN DIEGO, CA 92101</u>		
	ADDRESS	CITY, STATE	ZIP
	NONE		
E-MAIL ADDRESS			
APPLICANT STATUS (Check One): <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Optionee <input type="checkbox"/> Lessee			

ARCHITECT	NAME		
	TELEPHONE / FAX	PRIMARY CONTACT PERSON	
	ADDRESS		
	CITY, STATE	ZIP	
	FIRM	FIRM OWNER(S)	
E-MAIL ADDRESS			

PROJECT MANAGER	ONLY FILL OUT IF DIFFERENT FROM ABOVE INFORMATION		
	NAME		
	TELEPHONE/FAX	PRIMARY CONTACT PERSON	
	ADDRESS		
	CITY, STATE	ZIP	
FIRM	FIRM OWNER(S)		
E-MAIL ADDRESS			

PROPERTY OWNER

NAME LULA D. PORTER

TELEPHONE/FAX  
(619) 239-7197  
(619) 239-7197 FAX

PRIMARY CONTACT PERSON  
LULA D. PORTER

ADDRESS  
502 TENTH AVENUE  
SAN DIEGO, CA  
CITY, STATE

ZIP  
92101

FIRM  
SAN DIEGO COMMUNITY TREATMENT CENTER  
FIRM OWNER(S) LULA D. PORTER

E-MAIL ADDRESS  
ALONG

Signature of Property Owner or Representative Lula D. Porter Date 2-28-05

LEGAL STATUS (Check One):  Corporation (Specify State):  Partnership  Individual  Limited  General

PROPERTY LOCATION:

Street Address: 502 TENTH AVENUE ASSESSOR'S PARCEL # \_\_\_\_\_

N S E W Side of ISLAND/TENTH between MARKET STREET and ISLAND AVENUE  
Total Site Area: 50 by 100 FT. Net Area: 5000 SQ. FT.

EXACT LEGAL DESCRIPTION OF PROPERTY (Please attach copy of deed/title report containing full legal description):

EXISTING USE: OPERATION OF 42-BED TREATMENT CENTER SINCE 1989. CONSISTING OF: 24 HR. STAFF SUPERVISION OF STATE PAROLEES, COUNSELING, URINALYSIS, N/A + AIA SESSIONS, EMPLOYMENT SERVICES AND SUPPORTING FOLLOW-UP SERVICES.

PROPOSED PROJECT DESCRIPTION: THE PROPOSED PROJECT WILL CONTINUE TO PROVIDE EXISTING SERVICES UPON APPROVAL OF AN EXTENSION OF ITS EXISTING C.H.P. THIS WILL ENABLE THE PROJECT TO FULFILL ITS CONTRACTUAL AGREEMENTS WITH THE STATE OF CALIFORNIA - DEPT. OF CORRECTIONS.

HAZARDOUS WASTE AND SUBSTANCES STATEMENT - Section 65962.51 of the State of California Government Code requires that before the City of San Diego accepts as complete an application for any development project, that the applicant submit a signed statement indicating whether or not the project site has been identified on the State of California Hazardous Waste and Substances Sites List. List identifies know sites that have been subject to releases of hazardous chemicals, and is available in the Customer Self-Help Area of Development Services Center, located at 1222 First Avenue, Third Floor.

Is the project site identified on the State of California Hazardous Waste and Substances List? Yes  No   
Please check which list:  CALSITES  LTNKA  WBC&D  CWB-LF Date of List: \_\_\_\_\_

Applicant's Signature: Lula D. Porter

Date: 2-28-05

CENTRE CITY DEVELOPMENT CORPORATION  
CONDITIONAL USE PERMITS  
SUPPLEMENTAL APPLICATION

Name of Business: SAN DIEGO COMMUNITY TREATMENT CENTER

Location: 502 TENTH AVENUE, SAN DIEGO, CA 92101

Summary of Request (description of proposed use): THIS APPLICATION AND REQUEST IS FOR AN AMENDMENT OF EXISTING C.U.P. GRANTING AN EXTENSION, OF WHICH, THE EXISTING C.U.P. EXPIRES ON 3-31-05. THEREFORE, WE ARE REQUESTING AN EXTENSION OF C.U.P. 95-0072 UNTIL 3-31- TO PROVIDE A 42-BED FACILITY FOR SUBSTANCE ABUSE TREATMENT, CONSISTING OF 24 HR. SUPERVISION, URINALYSIS TESTING, COUNSELING, A/A & N/A SESSIONS, JOB DEVELOPMENT & REFERRALS. RESIDENTS ARE MONITORED 24 HRS PER DAY - 7 DAYS A WEEK, AND ALL MEALS ARE PROVIDED.

Type of ABC License Requested: N/A

Days & Hours of Operation: N/A

Type of Entertainment: N/A

Maximum Occupancy: \_\_\_\_\_

Other Permits/Licenses Applied For: EXTENSION OF TIME ON EXISTING C.U.P. 95-0072

**REQUIRED INFORMATION**

Under Section 126.0305 of the San Diego Municipal Code, four findings must be made in order to approve a conditional use permit. Please explain how the application meets these findings:

1. The proposed use or development will not adversely affect the applicable land use plan; THE PROPOSED CONTINUED USE OF THE PROPERTY AS A 42-BED FACILITY WILL NOT ADVERSELY AFFECT THE LAND USE PLAN, TO THE CONTRARY - THE CENTER HAS OPERATED AT THE SUBJECT SITE SINCE 1989 IN CONFORMANCE WITH THE LAND USE PLAN AND CONDITIONS OF ITS CURRENT C.U.P.
2. The proposed use or development will not be detrimental to the public health, safety, and welfare; THE NEIGHBORHOOD WILL GAIN AN INVOLVED AND CONCERNED ENTERPRISE BY THE VERY NATURE OF THE CENTER'S DESIGN; WHICH DOES NOT ATTRACT WALK-IN CLIENTELE, NOR WILL ITS CLIENTELE LOITER IN THE NEIGHBORHOOD STREETS. SECURITY STAFF WILL ALWAYS BE ON DUTY AND RESIDENTS ARE NOT ALLOW FREE ACCESS TO THE STREETS.

3. The proposed use or development will comply to the maximum extent feasible with the regulations of the Land Development Code; and THE CURRENT USE HAS COMPLIED TO THE MAXIMUM EXTENT FEASIBLE WITH THE LAND USE REGULATIONS AS EVIDENT BY THIS APPLICANT. FOLLOWING THE RULES OF OBTAINING A C.U.P. 15 YEARS AGO AND AS SUPPORTED BY THE FACT THAT THE FACILITY HAS HAD NO COMPLAINTS.

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

THERE IS NO QUESTION ABOUT THE APPROPRIATENESS AND OF THE EXISTING & ONGOING COMMUNITY TREATMENT CENTER FACILITY SUCH AS THE CONTINUATION OF THE ONE BEING PROPOSED. OUR REQUEST FOR AN EXTENSION FOR OUR EXISTING C.U.P. IS NOT ONLY APPROPRIATE BUT ALSO SERVES AS AN ADDITIONAL PURPOSE OF SUCCESSFULLY RE-INTEGRATING STATE PAROLEES INTO THE MAINSTREAM OF SOCIETY, ONCE THEIR LEGAL DEBT HAS BEEN SATISFIED.

# SAN DIEGO COMMUNITY TREATMENT CENTER

502 TENTH AVENUE  
SAN DIEGO, CALIFORNIA 92101  
(619) 239-7181

So it how it may concern,  
This request is for an extension  
of my C.U.P. until I have found  
a place to move.

I have a couple of places  
that I'm dealing with.

Plus a couple of prospective  
buyers for the center.

I thank you  
Lula B. Porter

# Attachment F

## 2008 Application and Supporting Materials



Project Number:	40-0111
Project Name:	SD Treatment
Site Address:	502 10th Ave.
Project Area:	EV
Submittal Date:	5/8/08

# CENTRE CITY DEVELOPMENT PERMIT APPLICATION

Type of Permit(s) you are applying for:

- |   |   |
|---|---|
| <input type="checkbox"/> CENTRE CITY DEVELOPMENT PERMIT<br><input type="checkbox"/> COASTAL DEVELOPMENT PERMIT<br><input checked="" type="checkbox"/> CONDITIONAL USE PERMIT<br><input type="checkbox"/> NEIGHBORHOOD USE PERMIT<br><input type="checkbox"/> NEIGHBORHOOD DEVELOPMENT PERMIT<br><input type="checkbox"/> VARIANCE | <input type="checkbox"/> GASLAMP QUARTER SPECIAL PERMIT<br><input type="checkbox"/> GASLAMP COMPREHENSIVE SIGN PLAN<br><input type="checkbox"/> MARINA DEVELOPMENT PERMIT<br><input type="checkbox"/> MARINA PDO EXCEPTIONS<br><input type="checkbox"/> OTHER (SPECIFY) _____ |
|---|---|

APPLICANT	SAN DIEGO COMMUNITY TREATMENT CENTER (619) 239-7181 / (619) 239-7197 LULA D. PORTER		
	NAME (print)	TELEPHONE / FAX	CONTACT PERSON
	502 TENTH AVENUE	SAN DIEGO, CA	92101
	ADDRESS	CITY, STATE	ZIP
	None		
E-MAIL ADDRESS			
APPLICANT STATUS (Check One): <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Optionee <input type="checkbox"/> Lessee			
ARCHITECT	NAME		
	TELEPHONE / FAX	PRIMARY CONTACT PERSON	
	ADDRESS	CITY, STATE	ZIP
	FIRM	FIRM OWNER(S)	
	E-MAIL ADDRESS		
PROJECT MANAGER	ONLY FILL OUT IF DIFFERENT FROM ABOVE INFORMATION		
	NAME	TELEPHONE/FAX	PRIMARY CONTACT PERSON
	ADDRESS	CITY, STATE	ZIP
	FIRM	FIRM OWNER(S)	
	E-MAIL ADDRESS		

LULA D. PORTER (619) 239-81 (619) 239-7197

PROPERTY OWNER

NAME	TELEPHONE/FAX	PRIMARY CONTACT PERSON
502 TENTH AVENUE	SAN DIEGO, CA	92101
ADDRESS	CITY, STATE	ZIP
SAN DIEGO COMMUNITY TREATMENT CENTER	LULA D. PORTER	

FIRM	FIRM OWNER(S)
NONE	

E-MAIL ADDRESS

Signature of Property Owner or Representative Lula D. Porter Date 5-7-08

LEGAL STATUS (Check One):  Corporation (Specify State): \_\_\_\_\_  Partnership  Individual  Limited  General

PROPERTY LOCATION:

Street Address: 502 TENTH AVENUE ASSESSOR'S PARCEL # . . .

(N S E (W) Side of TENTH/ISLAND between MARKET STREET and ISLAND AVENUE

Total Site Area: 50 by 100 FT. Net Area: 5,000 SQ. FT.

EXACT LEGAL DESCRIPTION OF PROPERTY (Please attach copy of deed/title report containing full legal description): \_\_\_\_\_

EXISTING USE: Operation of 42 - Bed Drug Treatment Center since 1989. Providing The following: 24 hrs. staff supervision of State Parolees, random & weekly urinalysis testing, N/A & A/A sessions, assistance to follow-up programs and supporting services.

PROPOSED PROJECT DESCRIPTION: To continue with proposed project with all existing services provided, upon approval of extension of current C. U. P. This project will allow and enable S.D.C.T.C. to fulfill its contractual agreements with the Department of Corrections, for the State of California.

HAZARDOUS WASTE AND SUBSTANCES STATEMENT - Section 65962.5f of the State of California Government Code requires that before the City of San Diego accepts as complete an application for any development project, that the applicant submit a signed statement indicating whether or not the project site has been identified on the State of California Hazardous Waste and Substances Sites List. This list identifies know sites that have been subject to releases of hazardous chemicals, and is available in the Customer Self-Help Area of the Development Services Center, located at 1222 First Avenue, Third Floor.

Is the project site identified on the State of California Hazardous Waste and Substances List? Yes ( No )

If yes, check which list: CALSITES LTNKA WBC&D CWB-LF Date of List: \_\_\_\_\_

Applicant's Signature: Lula D. Porter Date: 5-7-08

**CENTRE CITY DEVELOPMENT CORPORATION  
CONDITIONAL USE PERMITS  
SUPPLEMENTAL APPLICATION**

Name of Business: SAN DIEGO COMMUNIYY TREATMENT CENTER

Location: 502 TENTH AVENUE, SAN DIEGO, CA 92101

Summary of Request (description of proposed use): Requesting extension of existing C. U. P. amending current C. U. P. which expires in/on June 30, 2008, with approval of extension through June 30, 2010, our facility will continue to provide drug and alcohol detox treatment along with these seVICES: 24 hours monitoring of 42 - Bed center, drug testing, counseling with N/A \* A/A meetings/twice a week - and security of residents 24 hours 7 days a week.

Type of ABC License Requested: N/A

Days & Hours of Operation: N/A

Type of Entertainment: N/A

Maximum Occupancy: \_\_\_\_\_

Other Permits/Licenses Applied For: \_\_\_\_\_

**REQUIRED INFORMATION**

Under Section 126.0305 of the San Diego Municipal Code, four findings must be made in order to approve a conditional use permit. Please explain how the application meets these findings:

1. The proposed use or development will not adversely affect the applicable land use plan; Since 1989, upon its inception, S. D. C. T. C. has been in conformance with Land use plan, and the conditions of existing C. U. P. It will not adversely affect land use plan to continue to maintain and operate such property as 42 - Bed facility treatment center.
  
2. The proposed use or development will not be detrimental to the public health, safety, and welfare; By NOT permitting residents free access to the streets, nor allowing walking nor visiting privileges, this eliminates such concerns. The neighborhood is secured with security staff and constant supervision of property and residents.

3. The proposed use or development will comply to the maximum extent feasible with the regulations of the Land Development Code; and Continued use of maximum extent to assure compliance feasible to land use conditions and regulations. This is evident as S. D. C. T. C. has obtained and maintained rules and regulations for the past 15 years of existing C. U. P. along with substaining recored of no complaints.

4. The proposed use is appropriate at the proposed location. Our facility is and has been a permanent and successful Treatment Center at the current location. By requesting this extention of existing C. U. P. we feel appropriate at proposed property continuing to provide the opportunity to re-integrate State Parolees back to society, allowing them to self-help and settle their legal responsibility to the Department of Corrections.

**DIVISION OF SUPPORT SERVICES  
OFFICE OF BUSINESS SERVICES**

1515 S Street, Sacramento, CA 95811-7243  
P.O. Box 942883  
Sacramento, CA 94283-0001



April 16, 2008

San Diego Community Treatment Center  
Attn: Lula Porter  
502 Tenth Avenue  
San Diego, CA 92101

Dear Ms. Porter:

**AGREEMENT NUMBER: P08.4009 - FORMERLY BID NUMBER 080006  
SERVICE: RESIDENTIAL SUBSTANCE ABUSE SERVICES – SAN DIEGO**

Congratulations! The California Department of Corrections and Rehabilitation (CDCR) is pleased to inform you that bids were opened on April 14, 2008, and your company, San Diego Community Treatment Center, has been determined to be the successful competitor for the above-referenced solicitation with a bid amount of One Million Five Hundred Ninety Four Thousand Three Hundred Twenty Dollars and No Cents (\$1,594,320.00). The Agreement will be awarded to San Diego Treatment Center.

The Office of Business Services will be forwarding the above-referenced Agreement(s) for signature. **This agreement is not valid unless, and until, approved by the Department of General Services, or under its authority, CDCR.** The State has no legal obligation, unless and until the Agreement is approved. The State assumes no responsibility for any work commenced by the Contractor and will not reimburse the Contractor for any work performed prior to approval of the Agreement. When this Agreement is fully approved, an original will be forwarded to you. Please allow up to two months for approval.

If you have any questions or need assistance, do not hesitate to contact me at (916) 229-5044.

Sincerely,

*Nancy Suttles*

Nancy Suttles  
Contract Analyst  
Office of Business Services  
Procurement and Contracts Branch



*A talk with  
him daily  
LDP*

August 29, 2008

Lucy Contreras, Associate Planner  
Centre City Development Corporation  
401 B Street, Suite 400  
San Diego, CA 92101

Re: CUP 40-0111 Extension Request 2008

Dear Ms. Contreras:

This letter is to advise you on the progress of Mrs. Lula Porter to re-locate the San Diego Community Treatment Center from the present location at 502 Tenth Avenue.

Finding a suitable location for Mrs. Porter's business has been a long process. Location, building size, building condition, zoning, and price all are major considerations in the decision making and each one has to be met in order that her business continues to succeed and serve the San Diego Community. After reviewing dozens of properties, I am happy to communicate to you that a property has been found which meets her criteria. The one issue that is unresolved is the City's approval.

We are in the process of working with Gary Geiler and Raynard at the Development Services Department to submit a Preliminary Review for Mrs. Porter's intended use and should have a preliminary response before Mrs. Porter's next hearing. The owner of the Dalbergia property, Wally Evans, is fully cooperating with our effort and time frame, both important factors for the success of this process. Other evidence of Mrs. Porter's progress includes:

- Retaining the services of Gary Youmans, Senior Vice President and Manager of Small Business Loans for Pacific Western Bank for financing.
- Letter to Councilman Ben Hueso, whose district the property is located in, asking for his office's support in our efforts
- Retaining the services of Verlin Simmons of the Triwest Group, Inc. to spearhead and coordinate all real estate matters, including:
  - Acquisition of the Dalbergia property





- o Work with the City for approval of a new Conditional Use Permit for Dalbergia Property.
- o Marketing the property at 502 Tenth Avenue

We feel confident that the current strategy and plan will allow Mrs. Porter to make the transition from the East Village to the new location by July 1, 2009 or sooner. The time frame will largely be determined by the City's approval process. Any assistance that you can provide in this endeavor would be greatly appreciated as well.

We realize that we have overstayed our welcome in the East Village, and greatly appreciate the patience and understanding you have shown thus far. A one year extension will allow Mrs. Porter to transition to the new location and continue to provide the services that are needed in San Diego and in my opinion, ought to be supported by the City. While neighborhoods typically are not eager to have a treatment center nearby, the City does have a responsibility to see that such programs, and successful ones like Mrs. Porter's, are available to its citizens. Unfortunately, San Diego is not immune to crime, and programs that assist in keeping those with criminal backgrounds from returning to jail need to be a part of our community.

Thank you for time and consideration.

Sincerely,

Verlin K. Simmons  
Broker  
The Triwest Group  
406 Ninth Avenue, Suite 203  
San Diego, CA 92101  
619.231.8820

Attachments: Property Profile and Parcel Map of the Dalbergia property.



Corporate Office 406 Ninth Avenue, Suite 203 San Diego CA 92101  
[619] 231.8820 Office [619] 231.8822 Fax [www.triwestgroup.com](http://www.triwestgroup.com)



**Property  
Details**

**3665 DALBERGIA ST SAN DIEGO, CA 92113-3812**

**Property Last Updated: 5/8/2008 2:15:47 PM**  
**County Last Updated: 8/1/2008 5:41:42 PM**

**Ownership Information**

Parcel No: **550-610-16-00**  
 Owner(s): **EVANS WALTER W**  
 Site Address: **3665 DALBERGIA ST SAN DIEGO, CA 92113-3812**  
 Mail Address: **3665 DALBERGIA ST SAN DIEGO, CA 92113-3812**

[View Property History](#)

**Sales and Loan Information**

Recording Date:	<b>N/A</b>	Lender Name:	<b>N/A</b>
Sale Price:	<b>N/A</b>	Title Company:	<b>N/A</b>
Sale Code:	<b>UNKNOWN</b>	Loan Amt Other:	<b>N/A</b>
Document #:	<b>N/A</b>	Seller:	<b>N/A</b>
Document Type:	<b>UNKNOWN</b>	Prior Sales Price:	<b>N/A</b>
Deed Type:	<b>UNKNOWN</b>	Prior Sales Date:	<b>N/A</b>
Loan Amt 1 St:	<b>N/A</b>	Prior Doc #:	<b>N/A</b>
Loan type:	<b>UNKNOWN</b>	Prior Doc Type:	<b>UNKNOWN</b>

**Assessment and Tax Information**

Assessed Value:	<b>\$211,472.00</b>	Assessed Improved Value:	<b>\$181,331.00</b>
Assessed Land Value:	<b>\$30,141.00</b>	Assessed Improved %:	<b>85.75%</b>
Tax Area:	<b>08001</b>	Tax Year:	<b>2007</b>
Owner Exempt:	<b>N/A</b>	Tax Amount:	<b>\$2,349.76</b>

**Property Description**

Use Code:	<b>WAREHOUSE</b>	Old Map-Grid (CA only):	<b>PAGE 550 GRID 61</b>
Zoning:	<b>SD 7</b>	Municipality:	<b>N/A</b>
Legal:	<b>LOT E BLK 254</b>	Subdivision Name:	<b>ARLINGTON</b>
Map Grid:	<b>PAGE 66 GRID A5 1289-G7</b>	Room Count:	<b>N/A</b>
County:	<b>SAN DIEGO</b>	Bathrooms:	<b>N/A</b>
Tract:	<b>1638</b>	House Style:	<b>UNKNOWN</b>
Block:	<b>254</b>	Lot Depth:	<b>N/A</b>
Lot:	<b>E</b>	Yr Built / Effective Yr Built:	<b>N/A/N/A</b>
Lot Size:	<b>3,497</b>	No Of Stories:	<b>UNKNOWN</b>
Lot Frontage:	<b>25</b>	Pool:	<b>NO</b>
Acreage:	<b>0.08</b>	Flood Zone ID:	<b>0602951911F</b>
No Of Units:	<b>N/A</b>	Census Block:	<b>3</b>
Garage:	<b>UNKNOWN</b>		
Fireplaces:	<b>YES</b>		
Census Tract:	<b>003601</b>		

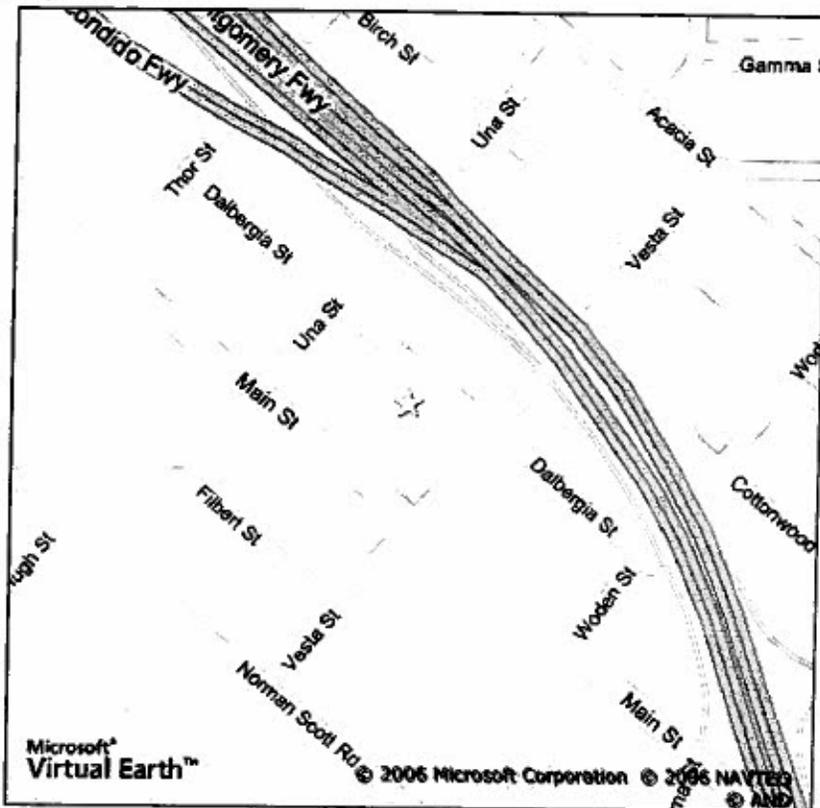
Deemed Reliable, But Not Guaranteed





Street Map

3665 DALBERGIA ST SAN DIEGO, CA 92113-3812



[Get Driving Directions](#)

Deemed Reliable, But Not Guaranteed



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Development Services

# Official Zoning Map

## Validation by Address

### Results for: 3665 DALBERGIA ST

### Zone(s) per Official Zoning Map:

Name	Abbreviated Name	
BARRIO LOGAN PLANNED DISTRICT:SUBDISTRICT B	BLPD-SUBD-B	<a href="#">More Info</a>

### Map Sheets:

Map Sheet Index Nbr	Map Image
11	<a href="#">View Map Image</a>

Results as of August 27, 2008

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*Dealt with owner & wife lots of times. 777*

July 1, 2008

Mrs. Porter:

**FOLLOW-UP**  
**3665 DALBERGIA STREET, SAN DIEGO 92113**

**OVER VIEW**

- Property and location appear to fit your needs. The building needs modifications for your use, but that would be the case with any building you purchase.
- The location appears to be one where you would receive the least resistance from the City for your Conditional Use Permit - no schools in the area; minimal residential properties; not generally visible to the community; and easy to access downtown and freeways.
- Still within the City limits utilizing existing relationships to expedite the City's approval.
- The Seller indicated he would take down the fence standing between the 2 bedroom house and the back outdoor area, so the house is visible.

**COMMENTS**

- Ideally, for your presentation to the city for CUP extension, it would be beneficial to have a time line, and a replacement property lined up. In other words a plan that is in motion. This indicates that you are moving forward and have a transitional plan that will take you out of the current neighborhood into a more agreeable one to the City. The City might be more helpful on the new site, knowing that it is part of your transition and the sooner you can get through City Hall Red Tape (CUP, building





- permits, and inspections) and complete the necessary improvements, the sooner you will be out of East Village.
- As part of this plan, I recommend that you have your existing property on the market. Again, as a demonstration that your plan is in action for the transition out of the current neighborhood as soon as possible.
- In may also be in your best interest to enter into a 1031 Exchange which transfers your capital gains in the property you are selling to the new property and delays the paying of capital gains taxes at this time - keeping money in your pocket and the government out of it.

#### **RECOMMENDATION:**

- To assist in the coordination of all of this, I suggest and propose to you that the Triwest Group assist you in the following areas:
  - The Triwest Group handles the marketing and sale of the 10<sup>th</sup> Avenue Property.
  - Begin researching with the City the feasibility of a conditional use permit for the Dalbergia property.
  - Initiate research for benefits and timing for a 1031 Exchange.
  - Prepare a presentation for the July 10<sup>th</sup> meeting with the City.
  - Have a Contractor (Rudy Diaz of Green Oak Ranch) inspect both properties to understand your needs and the feasibility of transforming the new building into a workable structure for you.

This is only if you see the Dalbergia property as a property that will be economically viable and feasible for your business. I do think that your presentation to the City would benefit if they can see a definite plan that is already in action. They prefer approving a concrete plan versus something that is not so clearly outlined. Plus, neither of you want to go through this again or





whatever the next step would be if you are not able to move. This process is only buying time instead of using it to move forward.

Thank you for your time and consideration.

A handwritten signature in black ink, appearing to read "Verlin K. Simmons". The signature is fluid and cursive, with a large initial "V" and "S".

Verlin K. Simmons

The Triwest Group

406 9<sup>th</sup> Avenue

Suite 203

San Diego, CA 92101



Corporate Office 406 Ninth Avenue, Suite 203 San Diego CA 92101  
[619] 231.8820 Office [619] 231.8822 Fax [www.triwestgroup.com](http://www.triwestgroup.com)

# WAREHOUSE FOR SALE

3665 Dalbergia Street | San Diego | CA | 92113



**VERLIN SIMMONS  
BROKER**

**The Triwest Group**

406 9th Avenue  
Suite 203  
San Diego, CA 92101

Phone: 619.231.8820  
Mobile: 858.342.2111  
Fax: 619.231.8822  
E-mail: [verlin@san.rr.com](mailto:verlin@san.rr.com)

4,000 sq. ft warehouse with 1200 sq. ft. mezzanine. In addition, property has 5 residential income units. Well located to downtown San Diego and close to Interstates 5 and 15. Great for owner/user with rental income to offset costs of ownership. Property consists of 3 assessor parcels. Located in the Barrio Logan Planned District: Subdistrict B.

**Contact Verlin Simmons to see Property - 858.342.2111**

- Main building 4,000 sq. ft.
- 1200 sq. ft. mezzanine
- 4 one-bedroom rental units
- 1 two-bedroom rental unit
- Total land area - .32 acre
- Close to Downtown, I-5, and I-15

**\$1,400,000**

*Information is deemed reliable but any interested party should confirm independently the information contained herein with the City of San Diego and its agencies for accuracy.*





May 15, 2008

Mrs. Porter

San Diego, CA 92130

Dear Mrs. Porter:

Enclosed are several properties which may meet your needs to replace your existing location.

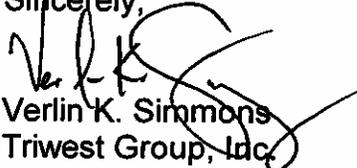
I would like to sit down and discuss the following topics so I can provide you with quality service:

- Location – how far from the present location will the City require you to re-locate? It will be a question of how far they want you to move and how far you are willing to go.
- Budget – price range and financing needs.
- Present status of your 10<sup>th</sup> and Market property.
- Exact requirements for the new property – it is my understanding that you require at least 6,000 sq. ft. of building; little or no parking or outdoor area; zoning can be commercial or industrial. Any other possibilities?
- Preliminary discussions with the City regarding new Conditional Use Permit (CUP).

I am confident that we can assist you in your re-location. The Triwest Group also has relationships with commercial lenders that will be helpful should you require financing.

I look forward to working with you and getting to know you better. Moses has told me great things about you.

Sincerely,

  
Verlin K. Simmons  
Triwest Group, Inc.  
JVJ Property Services  
Cell 858.342.2111



Corporate Office 406 Ninth Avenue, Suite 203 San Diego CA 92101  
[619] 231.8820 Office [619] 231.8822 Fax [www.triwestgroup.com](http://www.triwestgroup.com)

# Attachment G

## Public Correspondence

OPPOSED

S E L T Z E R | C A P L A N | M C M A H O N | V I T E K  
A LAW CORPORATION

JAMES R. DAWE, ESQ.

dawe@scmv.com  
619.685.3060  
619.702.6807 FAX

September 10, 2008

Planning Commission  
City of San Diego  
1222 First Avenue, 4<sup>th</sup> Floor  
San Diego, California 92101

Re: San Diego Community Treatment Center  
CUP 40-0111 Further Extension  
Scheduled Hearing: September 18, 2008  
Our File No. 12669.64001

Honorable Chair and Members of the Planning Commission:

Our firm represents Strata Properties, LLC, the owner and developer of the 163 unit Strata residential project. The Strata Project is on the same block as and in close proximity to the San Diego Community Treatment Center.

Requested Action.

We, on behalf of our client, request that you deny the application for a fourth extension of the conditional use permit for the San Diego Community Treatment Center. We, therefore, concur with previous staff recommendations and the current recommendation of numerous community groups and homeowners that the interim use should not be extended for yet another term.

Project Background.

Almost two decades ago, the San Diego City Council approved Conditional Use Permit 89-0524 for a period of five years to operate a "correctional/ rehabilitation program" at 502 Tenth Avenue. Since the original approval, the applicant has sought and received three extensions. The most recent extensions have been with the express understanding that the use was an interim use which no longer was appropriate because of the implementation of the Centre City Community Plan and the development of the East Village area as a mixed use and residential area.

September 10, 2008

When the City Council first approved a Conditional Use Permit for the Treatment Center, the Community Plan designation was for Commercial Services and the zoning classification was CSX (Commercial Services). At that time the use was allowed with a Conditional Use Permit. The current plan designation, however, is Mixed-Use/Residential and the current zoning classification is Employment/Residential Mixed-Use. The current use of the Treatment Center no longer is a permitted use. In our opinion it also is no longer a previously conforming use.

Discussion.

Since the approval of the original use permit, the surrounding area has changed significantly. At the time of the original approval, the existing uses in the area included, according to the then staff report, "vacant building-former electrical contractors' office, warehouse and storage yard." Including the 163 units under construction at Strata, the surrounding area now contains, within 2 blocks of the Treatment Center, more than 1400 residential units, a high-end hotel and other mixed uses reflecting the current Centre City Community Plan and the Centre City Planned District Ordinance. The Planned District Ordinance, in fact, does not allow the proposed use – even with a conditional use permit. It is a prohibited use – consistent with the planning, zoning and existing development.

In our opinion the City no longer has authority to approve a conditional use permit or an extension for any existing conditional use permit. It is our understanding that CCDC or the City has determined that the previous extensions granted by a CCDC Hearing Officer should have been considered by the Planning Commission. Although it is impractical to go back and change the decisions to extend the use, the clear implication is that the CCDC Hearing Officer did not have the authority to issue the previous extensions. That being the case, the previous extensions appear to be invalid. There is no valid conditional use permit to extend at this point in time and no authority under the existing ordinance to approve the use.

Accepting for the sake of argument only that the City has the authority to grant an extension of the conditional use permit, the required findings cannot be made.

1. The Proposed Development Will Adversely Affect the Applicable Land Use Plan.

The Centre City Community Plan currently designates the area as Mixed Use/Residential. The use is inconsistent with the spirit and intent of the Mixed Use/Residential designation.

The Centre City Planned District Ordinance also classifies the property as Employment/Residential Mixed-Use. The intent of the Planned District designation is as follows:

Employment/Residential Mixed-Use (ER). This district provides synergies between educational institutions and

residential neighborhoods, or transition between the Core District and residential neighborhoods. . . . A variety of uses are permitted in this district, including offices, residential, hotel, research and development, educational, and medical facilities. (Centre City Planned District Ordinance §156.0307(a)(3).)

The City, indeed, has no authority to approve a conditional use permit for this property. (See CCPDO §156.0308.)

2. The Proposed Development Will Be Detrimental To the Public Health, Safety, and Welfare.

The San Diego Community Treatment Center is located in close proximity not only to our client's 163 unit residential project but in the immediate vicinity of more than 1400 new residential units and a high-end hotel. According to previously existing Conditional Use Permit 40-0111, the facility houses parole violators, prostitutes and drug and alcohol abusers. The close proximity of the facility and its inhabitants to a residential neighborhood is detrimental to the health, safety and welfare of the nearby residents and other community members.

3. The Proposed Development Does Not Comply With the Regulations Of the Land Development Code.

According to Section 141.0406 of the Land Development Code, such uses may only be placed in zones indicated with a "C" in the Use Regulations Tables and only with a conditional use permit.

The San Diego Community Treatment Center is located within the Centre City Planned District zone identified as Employment/Residential Mixed-Use not Commercial. The Center does not comply with the regulations of the Land Development Code, or, specifically, the Planned District Ordinance.

4. The Proposed Use is No Longer Appropriate at this Location.

In the third application for extension dated March 15, 2005, Lula Porter attached a handwritten note that specifically stated, "This request is for an extension of my CUP until I have found a new place to move. I have a couple of places that I'm dealing with. Plus a couple of prospective buyers for the center."

CCDC staff member Lucy Contreras sent a Memorandum to the CCDC Hearing Officer dated May 26, 2005, in which she stated the following:

September 10, 2008

Fully aware of the emerging residential neighborhood, Mrs. Lula Porter has been actively seeking a place to relocate the center. She is considering sites outside the downtown area. In order to allow her sufficient time to obtain permits for the new location and move the center, she has submitted a request to extend the CUP for a period of two years.

The proposed use is no longer appropriate at this location in that the center is a previously conforming use and the neighborhood is becoming primarily residential. The center is actively seeking to relocate, and the proposed two-year extension would allow the center sufficient time to move. It is envisioned that by the end of the two-year period the center will have secured a new location and will no longer be operated at this site.

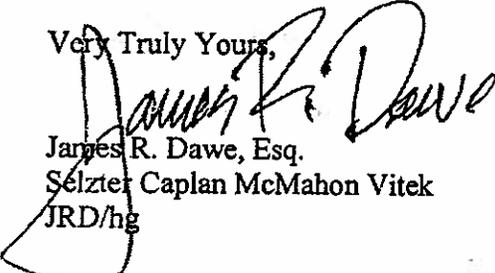
The expressly stated function of the third application for extension was to provide time for the San Diego Community Treatment Center to relocate. The Treatment Center is still located at 502 Tenth Avenue.

Conclusion.

The City cannot make the required findings to approve a Conditional Use Permit. As has been recognized increasingly over the past thirteen years, this use is no longer appropriate at this location. We, therefore, request you deny the application for the continued operation of the Treatment Center.

If you have any questions, we would be glad to answer them.

Very Truly Yours,

  
James R. Dawe, Esq.  
Seltzer Caplan McMahon Vitek  
JRD/hg

Cc: Strata Properties, LLC

**Lucy Contreras**

---

**From:** furtree@msn.com  
**Sent:** Monday, June 23, 2008 11:30 AM  
**To:** Lucy Contreras  
**Subject:** 502 Tenth Avenue, San Diego Community Treatment Center

June 23, 2008

Lucy Contreras  
Associate Planner, CCDC  
225 Broadway, Suite 1100  
San Diego, CA 92101

Dear Ms. Contreras:

We were extremely dismayed to receive the notice of application for the Community Treatment Center to continue its operations at 502 Tenth Street. This is simply an unacceptable location for such a facility. We live adjacent to this facility and have experienced on going problems with it.

Our daughter, Nicole Furino lives directly across from the facility at 985 Island in Angove Unit #4. We are concerned by the presence of a correctional/rehabilitation center for sexual offenders directly across from her home. In fact, the residents of this facility often sit out on the balcony and make unacceptable comments to her. They look directly into her bedroom from the balcony where men congregate every evening. Other woman also walking along Island who live in Pakloft, 877 Island Ave where my partner, Bill Mast and myself, Tom Furino live have been harassed by the residents of this facility. It is simply unacceptable this is permitted to occur by its owner/operators. East Village has changed demographically from when the facility was first opened.

In addition, the building is in complete disrepair. We do not believe the building codes are being enforced to allow 42 residents to live in this depilated building. We also do not believe the outside yard area meets the building code for such a facility. We request that if this facility is allowed to continue to be operated from this building that the complex be brought up to the same code standards as adjacent buildings and meet all building codes requirements for such a facility. It is simply absurd that the CCDC would have gone forward with the construction of a new upscale hotel and residential apartment complex adjacent to this building and still allow the facility to operate. Please explain how the CCDC and City condemned and forced out the Cigar store for the construction of the Marriot Renaissance, but want to allow this facility which is a blight on the neighborhood to continue to operate at this

location.

Enough is enough. Relocate this center. In addition, we request to be notified and have the opportunity to speak at the next review meeting for the Community Treatment Center. Please email or call us at 619-702-6447.

Sincerely,

Tom Furino and Bill Mast  
877 Island Ave, #401  
San Diego CA, 92101

Nicole Furino  
985 Island Ave #4  
San Diego, CA 92101

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The other season of giving begins 6/24/08. Check out the i'm Talkathon. [Check it out!](#)

# EVCAN



July 8, 2008

Nancy Graham  
Centre City Development Corp.  
401 B Street, Suite 400  
San Diego, CA 92101

Centre City  
Development Corp.

JUL 10 2008

Orig. To:  
Copy To:

Re: Parole Center CUP 10<sup>th</sup> and Island

Dear Ms. Graham,

It is our understanding that the privately owned parole center, located at 10<sup>th</sup> and Island Streets in the East Village is currently operating under an expired Conditional Use Permit (CUP).

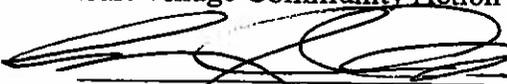
The East Village Community Action Network (EVCAN) is requesting that the CCDC deny the extension of this CUP for the following reasons:

- The neighborhood demographics have changed significantly and this facility is no longer cohesive with the surrounding area.
- Residents of the East Village have recently encountered offensive behavior exhibited from persons living in this facility.
- The building is currently for sale, so it does not appear that there is a continued interest by the owner in operating this parole center at this location.
- This is not the best use for this property for this redeveloped area and on a street heavily used for access to Petco Park.

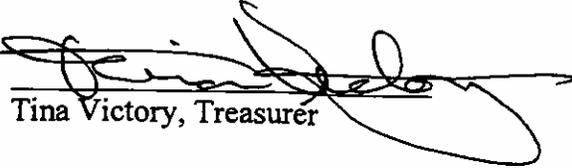
EVCAN strongly urges the CCDC to act on behalf of our request and deny this CUP and further allow for the continued improvement of our neighborhood.

Sincerely,

East Village Community Action Network

  
Caryl Iseman, President

  
Chuck Erickson, Secretary

  
Tina Victory, Treasurer

## Lucy Contreras

---

**From:** Guillermo Quintero [gquintero@mac.com]  
**Sent:** Wednesday, July 09, 2008 9:00 PM  
**To:** Lucy Contreras  
**Subject:** CUP 40-0111 Extension Request 2008

Hi Lucy,

I received the notice of public hearing regarding the extension application for the San Diego Community Treatment Center. I'm not sure if this is a voting matter but I'd like to file or vote to file a denial for this extension request.

I am a resident and owner of property across the street at 985 Island Avenue.

Thank you for your consideration.

Best,  
Guillermo Quintero

--  
Guillermo Quintero  
gquintero@mac.com  
mobile: 612-239-9512

## Lucy Contreras

---

**From:** Peter Karvelis [pkarvelis@keeganbaker.com]  
**Sent:** Thursday, July 10, 2008 11:15 AM  
**To:** Lucy Contreras  
**Cc:** 'Steven Clark'; 'Emily Pieratt'  
**Subject:** San Diego Community Treatment Center

Dear Ms. Contreras:

As an East Village resident for the past 3 years I recently received the Notice of Public Hearing re San Diego Community Treatment Center's (SDCTC) request for an extension of its CUP. My address is 1050 Island Ave, Unit 611 (m2i building) and the SDCTC is directly visible from my patio. When I moved into the neighborhood back in October of 2005, the SDCTC was at the time requesting a similar extension. I also voiced my objections to the CCDC at this time.

At the 2005 hearing it was agreed by all, including the CCDC and SDCTC, that this was no longer a use which was compatible with the surrounding neighborhood. The SDCTC also made assurances that it would relocate soon.

Well, three years have passed and they are now requesting yet another extension. What was the case then, is even more so now. Our neighborhood has undergone an amazing transformation from primarily industrial to almost exclusively residential uses. Moreover, the current development of the Strata tower and Indigo Hotel are further served to highlight the SDCTC in a negative light. The block is no longer awaiting development. The Volunteers of America have recently relocated due to the Thomas Jefferson School of Law. The SDCTC must also go.

Moreover, I personally observe "on a daily basis" the jailed residents of the SDCTC gawking at women as they walk by (either walking to work, walking their dogs, or just out and about.) I personally instruct my wife not to walk by the SDCTC for fear of her own safety and inappropriate stares. My fear is that as the neighborhood continues to become more populated and developed, the SDCTC not sharing in this prosperity due to its incompatible use, will trigger an incident of violence due this grossly incompatible use.

I respectfully request that the CCDC deny the SDCTC's request for a CUP extension and further expedite its vacating of the 502 Tenth Ave. location effective immediately. I would like to voice these concerns at the hearing however will out of town on business. I believe representatives of the m2i HOA will be in attendance at the hearing and fully support this demand as well. I not, please have this statement read into the record.

Very truly yours,

Peter N. Karvelis  
KEEGAN & BAKER, LLP  
4370 La Jolla Village Drive, Suite 640  
San Diego, California 92122  
858.552.6792 - direct

## Lucy Contreras

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**From:** Alec [gordon.alec@cox.net]  
**Sent:** Thursday, July 10, 2008 10:50 PM  
**To:** Lucy Contreras  
**Subject:** CUP No. 40-0111

Dear Ms Contreras,

I am writing to you as a concerned Downtown Resident. Specifically I wish to learn more of the Conditional Use Permit No. 40-0111 application from the San Diego Community Treatment Center for the extension of use for the building located at 502 10th Avenue in the East Village District.

I have lived in Downtown San Diego for the last ten years and I believe that I understand, and have benefited from, the good work of the CCDC and their concern for the progression of the urban commerce and residential communities in the area. In the case of this extension of use application by the Treatment Center for 42 residents I request that you consider the location and its transformation as of late due to the East Village and Petco Park redevelopment investments. As the general public, residents, baseball fans and their children walk to the game or simply walk their dogs...there are growing concerns for their safety. In 2008 there have been a number of assaults and even deaths in the area and I, personally do not believe that it is getting any safer. In fact, I believe that there may be more people in the area, with questionable motives and/or integrity. How can the public be assured that the Treatment Center is not contributing to the problem?

Thank you for your kind consideration.

Sincerely,  
R. Alec Gordon  
527 10th Avenue  
San Diego  
619-249-2203

## Lucy Contreras

---

**From:** Steven Clark [clarkie@cox.net]  
**Sent:** Friday, July 11, 2008 8:50 PM  
**To:** Lucy Contreras  
**Cc:** 'Steven Clark'; mlmattox@cox.net  
**Subject:** FW: San Diego Community Treatment Center

Dear Mr. Contreras,

My name is Steven Clark, and my partner's name is Marty Mattox. We live at 1050 Island Avenue, Unit 614, SD, CA 92101 and were some of the very first residents in this building.

We second Mr. Karvelis' concerns, as do all the neighbors in the M2i building and surrounding buildings. We, unfortunately, face this building from the 6th floor west side - their windows face us as we have to stare at this building every day with its barbed-wire wrapped around the top of their fence. All the men are constantly piled on top of each other when any women that move past their windows; they look like kids in a candy store. It's sickening to watch this day-in and day out. We can send you pictures of this daily occurrence, if you would like to see them. There is a little girl and single mom that live in the corner unit, eye level to their bedroom windows in that building, and they are constantly gawking at them. It's really creepy. I am sure she will be at this hearing. Why can't they find a location that isn't around children and women?

The men have even whistled at me and my partner when their gate was opened and we walked by, causing concern for our safety. It's obvious there is only one thing on their mind since they have been cooped up in their for so long. It's like a jail cell over there, which is completely against everything we are trying to make our East Village Community...a safe, family-like environment that will entice others from suburbia to move down here. It will never happen if we continue to allow residents such as these men in our neighborhood...the Petco Park, family-oriented neighborhood. We all know each other down here, and this building is the topic of conversation quite often.

I can't begin to tell you the number of times the fire department and ambulance have shown up outside this building. It really gets old knowing that we live in expensive condos across the street that we have worked so hard to own and purchase. We are already losing money thanks to the economy, we don't want to make even worse by the city not making good choices. Those types of residents only begin to bring down the value of our homes. The property itself is an eye-sore and dilapidated, let alone having the individuals that live there stare out at you every day from their 2nd floor window.

We hope that you will listen to our plea, and deny their request to extend this lease. We need neighbors that will continue to add value to our neighborhood, not detract from it.

Unfortunately, we also will not be able to attend the hearing, but we want you to use this plea in our absence.

Thank you for your time!

## Lucy Contreras

---

**From:** dan.schmitzer@cox.net  
**Sent:** Sunday, July 13, 2008 8:38 PM  
**To:** Lucy Contreras  
**Subject:** CUP 40-0111

I am writing to submit my opinion that the application for extension of the San Diego Community Treatment Center not be accepted. While the neighborhood has transformed into a family friendly environment, this facility no longer fits in. Further we have seen instances where the enrollees as the center are staring out windows into neighboring condominiums. Further, the City of SD allowed the street lights on all sides of the facility be burned out for months....making it scary for members of my household to walk past this facility. The Center needs to find a more appropriate location, or do MAJOR upgrading of the security and appearance of the building.

**Lucy Contreras**

---

**From:** Kelsey E. Gallagher [keg@harperconstruction.com]  
**Sent:** Monday, July 14, 2008 9:20 PM  
**To:** Lucy Contreras  
**Subject:** 10th & Island CUP 40-0111 Extension Request

Dear Lucy Contreras,

I would like to submit my disapproval of this filed extension. I remember when the last 2 year extension was approved, it was approved to give the property owner 2 years to sell the property. Here we are, 2 years later, and they have not only not sold the property, but are filing for an extension. Please advise the Hearing Officer to DENY the request, as the property owner has not lived up to their obligations, and cannot be trusted. I also want to let you know, that one of my close friends was beaten nearly to death, right across the street in front of my home, Fahrenheit, by one of these psycho homeless people. She was accosted for no reason, and had her head stomped on multiple times. While she has physically recovered, she will be psychologically scarred for years. This kind of facility keeps these kinds of people in the neighborhood, rather than moving them out as planned.

**Harper Construction Company**

Kelsey Gallagher  
Project Manager, LEED AP  
2241 Kettner Blvd. #300  
San Diego, CA 92101  
P: (619) 233-7900  
F: (619) 233-1889  
M: (619) 954-9556

**Lucy Contreras**

---

**From:** Priscilla Peebles [ppc3036@yahoo.com]  
**Sent:** Tuesday, July 22, 2008 10:33 AM  
**To:** Lucy Contreras  
**Subject:** SD Community Treatment Center - CUP40-0111 Extension Request 2008

Dear City of San Diego Planning Commission:

I am not able to make a meeting so I am expressing my thoughts about your future decision regarding the SD Community Treatment Center.

I am writing to **strongly object** to the continued operation of the correctional/rehabilitation program for up to 42 residents at 502 Tenth Avenue. I live across the street in the M2i building and have been very apprehensive of these residents since moving here over two years ago.

I am a senior citizen who passes by the facility (building) and am always nervous about the residents who stand outside and peer at passerbys. This is not the appropriate neighborhood for these residents. If I had known that these types of facilities would remain in the neighborhood, I would not have purchased my property here.

Please continue to clean-up this neighborhood and remove these kinds of facilities.

Thank you,

Priscilla Peebles

M2i Owner

**OBAMA SUPPORTER**

**Don't audit life, just show up and make the most of it!**

8/12/2008

## **Lucy Contreras**

---

**From:** danielkelly@cox.net  
**Sent:** Monday, August 18, 2008 2:20 PM  
**To:** planning@sandiego.gov  
**Cc:** Lucy Contreras  
**Subject:** Opposition to Granting CUP

to the SD Community Treatment Center located at 502 Tenth Ave., SD, 92101.

We are residents of the ICON San Diego, located at 321 Tenth Ave., SD 92101. We are one block away from this treatment center.

We strongly urge the CCDC and the City of San Diego Planning Department to not grant a CUP for this Treatment Center to be (continually) located at the above location. It needs to be moved from this area. We are now a completely residential area with restaurants and bars.

This treatment center is 1-1/2 blocks from a children's playground on J Street in the Padres Baseball Park. In 1989, this area was completely different. It has gone from light industrial to residential since 1989. There are many families with children of all ages living in the condo/loft/townhouse buildings surrounding this treatment center.

The Planning Department and CCDC would be responsible, if they granted this CUP, should anything happen. You need to visit this area during the week and on the weekends to see how many people with children frequent this park and the surrounding areas. We are a densely populated area (the East Village) and we do not want this treatment center located in the East Village. We are not a dumping ground for offenders. We already have the highest concentration of convicted sexual predators of almost any area in San Diego. To keep this Treatment Center in our midst is just another negative in our area. I see the men "hanging" out smoking especially on the back stairs when I am out for my walks.

Please take this opposition/objection seriously. Thank you for your consideration.

--  
Diane L. Kelly and Edward P. Kelly  
321 - 10th Ave., #B1-402  
San Diego, CA 92101  
Tel: 619/501-6629  
Cell: 650/339-3230 (Diane)  
Cell: 650/339-3242 (Ed)



PO Box 12339  
San Diego, CA  
92112-2339

619.237.8885 T

Centre City  
Development Corp.

AUG 21 2008

Orig. To:  
Copy To:

August 19, 2008

Ms. Lucy Contreras, Associate Planner  
Center City Development Corporation  
401 B Street, Suite 400  
San Diego, CA 92101

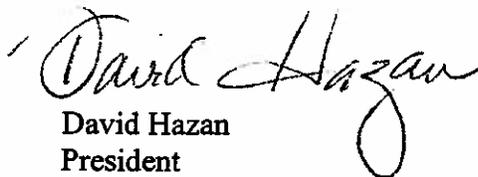
**RE: CUP 40-0111 Extension Request 2008**

Dear Ms. Contreras,

On August 7, 2008 the East Village Association heard a presentation from the operator and attorney representing the San Diego Treatment Center regarding the proposed extension of the above referenced CUP. The East Village Board of Directors unanimously voted to oppose the extension.

We trust that you will convey our opposition to the CCDC board.

Sincerely,  
East Village Association

  
David Hazan  
President

# MEMORANDUM

SUBJECT: **San Diego Community Treatment Center Conditional Use Permit (CUP) Extension Request**

DATE: August 20, 2008

---

## **Current Status:**

San Diego Community Treatment Center, 502 Tenth Avenue, San Diego, California, has requested an extension of Conditional Use Permit No. 40-0111 through June 30, 2010. The extension request is scheduled to be heard before the San Diego Planning Commission on September 11, 2008 at 9 AM. Initially, the Centre City Development Corporation (CCDC) was scheduled to hear the case, however, CCDC determined that since the initial CUP was granted by the Planning Commission, any extension must come from that body, not a CCDC Hearing Officer.

**UPDATE:** At a Centre City Advisory Committee (CCAC) subcommittee meeting on August 19<sup>th</sup>, the matter was discussed. A brief presentation was made by Lucy Contreras, CCDC Associate Planner. Subsequent to the presentation members of the public, including two attorneys representing the applicant, addressed the subcommittee members. After discussion, the subcommittee voted 4-1 to recommend that the matter be addressed at the September 17<sup>th</sup> CCAC meeting and that the San Diego Community Treatment Center be **granted an extension** to their CUP for an "appropriate" amount of time to allow the applicant to find a new location. **This will apparently delay the Planning Commission hearing to September 18, 2008 (to be confirmed).**

## **Background:**

### ***1989 Initial Permit:***

On April 27, 1989, Robbie Edwards (in conjunction with Lula Porter) submitted an application for a Conditional Use Permit (89-0524) for the "San Diego Restitution and Community Correction Center" (aka, "San Diego Community Correctional Center"). The facility was described as "a correctional/rehabilitation program for 42 residents..." and a "...reentry program(s) for inmates who are nearing completion of their term of incarceration..." and as "...provid(ing) housing, supervision, counseling and other correctional programs for persons sentenced to the custody of the Sheriff, Probation or Department of Correction. "

Although both the CCDC staff (in a letter to the Planning Department dated 9/21/89) and the San Diego Planning Department Staff Report (10/05/89) both recommended that the CUP request be denied, the Planning Commission, by 4 to 2 vote, approved CUP No. 89-0524 on October 12, 1989. Condition 16 stipulates that "(t)he correctional/rehabilitation program shall be for, but not limited to parole violators, prostitution, drug use, alcohol abuse and other misdemeanors to the satisfaction of the Planning Director. The program shall prohibit the acceptance of any violet crime or sex offenders."

The matter was appealed to the San Diego City Council where, on December 5, 1989, the Planning Commission decision to approve was upheld (Resolution No. R274829). The Planning Department report (dated 11/28/89) to the City Council once again recommended that the CUP not be granted to the applicant but was ignored. The CUP was issued in March 1990.

**1995 CUP Extension:**

Lula Porter filed a CUP extension request with CCDC prior to December 5, 1994. A CCDC memorandum (3/30/1995) indicates that the City Attorney's Office ruled that CCDC could process the request, although recently CCDC determined that they did so in error. CUP No. 95-0072 was granted by CCDC on March 31, 1995.

**2000 CUP Extension:**

CCDC recommended approval of another five year extension (CUP 40-0111), however, the following caveat was embedded in finding no. 4:

**"The proposed use is appropriate at the proposed location, in that the Center has been at this location for the past 10 years. The center is surrounding (sic) by a mix of land uses including residential, produce warehouses, and various other commercial services. The Centre City Community Plan does call for a *considerably higher residential development* within this zoning district, and as *that development may occur over time, then this existing use may no longer be appropriate at this location.*"(emphasis added)**

CCDC was actively considering redevelopment of the property. The memorandum to the hearing officer (7/24/2000) noted that CCDC had received a "proposal to redevelop the three blocks bordered by Market Street and 9<sup>th</sup>, Island and 10<sup>th</sup>" which included the Treatment Center property. Per the conditions of the permit, the CUP was to expire 90 days "after written notification (was) given to the Owner/Permittee that the Agency and /or

Centre City Development Corporation has determined in its sole and absolute discretion that possession of the property is needed for implementation of such redevelopment.”

**2005 CUP Extension:**

CCDC recommended approval of an extension through June 30, 2008 of CUP 40-0111 while noting, in the Memorandum to the Hearing Officer, the following:

“Fully aware of the emerging residential neighborhood, Ms. Lula Porter has been actively seeking a place to relocate the center. She is considering sites outside the downtown area. ***In order to allow her sufficient time to obtain permits for the new location and move the center, she has submitted a request to extend the CUP for a period of two years.***” (emphasis added)

Finding number 4 of the Memorandum states:

“The proposed use is ***no longer appropriate at this location*** in that the center is a previously conforming use and the neighborhood is becoming primarily residential. The center is actively seeking to relocate, and the proposed two-year extension would allow the center sufficient time to move. ***It is envisioned that by the end of the two-year period the center will have secured a new location and will no longer be operated at this site.***” (emphasis added)

There is also handwritten correspondence from Lula Porter in the CCDC file that acknowledges the need to relocate the facility:

*“To whom it may concern: This request is for an extension of my C.U.P. until I have found a place to move. I have a couple of places that I’m dealing with. Plus a couple of prospective (sic) buyers for the center. Thank you, Lula D. Porter”*

As noted, the Memorandum to the Hearing Officer recommended a **two year** extension of the CUP (to June 2007) and the accompanying draft CUP conformed to the recommendation. However, the Decision of the CCDC Hearing Officer extended the CUP for **three years**, to June 30, 2008.

END MEMORANDUM

**What is the San Diego Community Treatment Center?**

The Center is located at the northwest corner of 10<sup>th</sup> and Island. It's a 42 bed, 24 hour-a-day facility that receives parole violators for drug/alcohol treatment for a period of 21 to 30 days. More than 400 parolees per year can be processed at the Center.

It was originally permitted in 1989. Zoning for this area does not allow this use. In the last permit extension, in 2005, the Centre City Development Corporation (CCDC) noted that "The proposed use is no longer appropriate at this location ..." The Center was given a three year extension in order to relocate.

**Isn't the Treatment Center relocating?**

**NO.** The Center has requested a two year extension to the permit. At a recent meeting of a CCAC Social Issues Subcommittee, the subcommittee members voted 4-1 to recommend that the Center's permit be extended for a "reasonable" period of time to allow it to relocate.

**When and where will the decision be made?**

**City of San Diego Planning Commission**

202 C Street, City Administration Building, 12<sup>th</sup> Floor Council Chambers

**Thursday, September 18, 2008 at 9 AM**

Meeting begins at 9AM but there is no fixed time for the hearing

Mail: 1222 First Ave, 4th floor, San Diego, CA 92101

Email: [planningcommission@sandiego.gov](mailto:planningcommission@sandiego.gov)

Fax: (619) 321-3200

**CCAC Public Meeting**

401 B Street, Suite 400

**Wednesday, September 17, 2008 at 5:15 PM**

**CONTACT YOUR REPRESENTATIVES**

**CCDC Case Planner:**

Lucy Contreras 619-533-7132 [contreras@ccdc.com](mailto:contreras@ccdc.com)

**Councilmember Kevin Faulconer - City Council District 2**

202 C Street, MS #10A San Diego, CA 92101

Telephone: (619) 236-6622

Fax: (619) 236-6996

[kevinfaulconer@sandiego.gov](mailto:kevinfaulconer@sandiego.gov)

**VOICE YOUR OPPOSITION AT PLANNING  
COMMISSION AND CCAC PUBLIC MEETINGS  
UNLESS YOU ACT, THE CENTER WILL STAY!**

# IN FAVOR

## Lucy Contreras

---

**From:** Jerry Cluff [jcluff@pacbell.net]  
**Sent:** Friday, August 22, 2008 3:57 PM  
**To:** Lucy Contreras; David Allsbrook  
**Subject:** Relocation Services for SDCTC - 502 10th Ave.

Ms. Contreras/Mr. Allsbrook:

I was told that CCDC provides relocation services for business' such as Mrs. Porter's as part of the administration of the Centre City Development District. When I called to inquire about such services the receptionist informed me that Mr. Allsbrook had that function so I have copied him on this message as well. If there is a formal process for obtaining such assistance, please provide me a copy of the application or direct me to where the information can be found on the CCDC website.

Mrs. Porter indicated that she had spoken with Ms. Contreras about whether the CCDC knew of any acceptable alternative locations for her business but, I understood, there she had no information to share. Is there a general data base in the City where one may determine which communities have provided the least resistance to facilities such as Mrs. Porter's?

I would propose that CCDC staff visit Mrs. Porter's place of business and add to the staff report the facts that the existing trees on 10<sup>th</sup> Avenue effectively obscure the SDCTC windows from 10<sup>th</sup> Avenue and the building across the street. Similarly, I ask that staff add to the report that the windows in the SDCTC building are sound proof glass installed as part of the ballpark mitigation project which cannot be opened. Whatever catcalls the objectors are reporting on are not coming from SDCTC residents gathered at the windows.

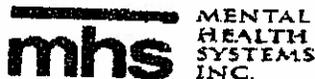
One objector states that residents of SDCTC "stand outside and peer at passersby." The CCDC staff report should provide the factual information that no residents of SDCTC are permitted outside the facility for any purpose. There is an exercise, fresh air area to the west of the building but the eight foot fencing has interlaced vision barriers so that those inside cannot see out and those outside cannot see inside.

While I have not seen a staff report to date, Ms. Contreras stated in her presentation to the East Village Association and the Social Issues Subcommittee of the CCAC that the 2005 Conditional Use Permit was issued with the understanding that the business would be relocated during that three year period. Some objectors have stated that they were present and that there was a promise that the SDCTC would be relocated during the term of the 2005 extension. I have reviewed the Conditional Use Permit issued June 16, 2005 and listened to the tape of the hearing on that date and note that no such promises were made and that issuance of the CUP was not conditioned upon relocation or specific relocation efforts. Mr. Allsbrook states in his ruling that "what I think, what I strongly recommend to you is that we grant the CUP that you actively engage in contact with a realtor of your choice to assist you in finding a new location, . . . and so I am not going to make that a condition, but I am going to strongly urge you to do that." I submit that the staff report not report that the last CUP was issued on the understanding that the business would be relocated during the extension period.

Mrs. Porter very much appreciates the kind comments of staff regarding the well run and well disciplined history and reputation of her business. Thank you for your anticipated cooperation with our requests for additional information to be added to your report.

Jerry D. Cluff  
 1951 Cable Street  
 San Diego, CA 92107  
 (619)222-0503  
 (619)222-3166 fax  
 jcluff@pacbell.net

9/11/2008



Corporate Office  
9465 Farnham St. • San Diego, CA 92123  
(658) 573-2600 • fax (658) 573-2602  
www.mhsinc.org

August 26, 2008

Center City Development Corporation  
401 B Street  
San Diego, CA 92101

**RE: letter of Support**

To whom it may concern:

This is a letter of support for the San Diego Community Treatment Center (SDCTC) operated at 502 Tenth Avenue in San Diego. The SDCTC has been operating successfully and improving our community for many years. Detoxification is a service that is desperately needed in central San Diego. This facility reduces the number of inebriates on our streets and helps many of those people start on the road to recovery.

I operate several parolee programs in San Diego County. Many of the graduates of these programs are living productive, crime-free lives. What always amazes me is that the majority of these individuals started their treatment at the San Diego Community Treatment Center. The Center was there for them when they first decided to attempt to change their lives. All of these individuals credit the caring and concern of Lula Porter with leading them to remain focused on achieving recovery.

I do not have any business or other connection with Miss Porter. I have simply observed her make a difference in many lives, and for the betterment of our community. I strongly urge you to extend her Conditional use permit to operate SDCTC at its current location, and to assist her in finding an appropriate, permanent site for these services.

Sincerely,

David Conn, Ph.D.  
Vice President  
Corrections and Rehabilitation Division



CORPORATE OFFICE  
1400 N. Johnson Avenue, Suite 101 • El Cajon, CA 92020 • corporate@mcalisterinstitute.org  
(619) 442-0277 • FAX (619) 442-1101

McAlister Institute is a 501(c)(3) tax-exempt corporation

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August 27, 2008

RE: San Diego Community Treatment Center

TO WHOM IT MAY CONCERN:

McAlister Institute supports the renewal request for the Conditional Use Permit (CUP) for the San Diego Treatment Center.

McAlister Institute is a non-profit agency offering alcohol and other drug treatment services in a variety of programs throughout San Diego County. McAlister Institute collaborates with the San Diego Community Treatment Center to provide drug and alcohol services.

We offer our support for their CUP renewal request.

Sincerely,

*Jeanne McAlister*  
Jeanne McAlister  
Chief Executive Officer

Funded in part by the  
County of San Diego

JMC:whb

United Way Certified

**DEPARTMENT OF CORRECTIONS AND REHABILITATION****Division of Adult Parole Operations****Chula Vista Parole Unit #4****765 3<sup>rd</sup> Avenue, Suite 200****Chula Vista Ca. 91910****(619) 476-3700 ext 268**

To: The Members of San Diego's Planning Commission

My name is Michael Ayala. I am a Parole Agent Supervisor assigned to The Chula Vista Parole complex. I have known Miss Porter and her work in San Diego since I was a teenager and I have worked with Miss Porter and her program as a Parole Agent in The County of San Diego for over nine years. I have observed over these years that her business and "labor of love", The San Diego Community Treatment Center has changed the lives of many parolees and their families. It has also been a great resource to the people and treatment community of San Diego County. Miss Porter has been a pleasure to work with. The enthusiasm she has for her work is apparent from her willingness to dedicate her time and energy to her clients and employees. I have seen her many times working at the program day and night. The 21-day Detox Program is a unique service, available to the Parolees of this county and throughout the years Miss Porter has provided thousands of parolees a solid transition from their addictions to their recovery. Many of these clients, who's only other option was a return to prison, owe their freedom from incarceration and addiction to her program. The people of the State, County and City cannot afford to lose a program as successful as this one has been. It is for these reasons that I would ask you to approve her application for the extension of her Conditional Use Permit.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Michael Ayala", with the date "8/27/08" written to the right of the signature.

Michael Ayala  
PAIII



**Parolee Partnership Program**

2535 Camino Del Rio S., Ste. 230 • San Diego, CA 92108

(619) 220-7090 • fax (619) 220-8314

e-mail: p3@mhsinc.org • www.mhsinc.org

*Support  
Letters*

Howard Foster  
Program Manager  
Mental Health Systems, Parolee Partnership Program

August 28, 2008

To Whom It May Concern:

Re: San Diego Treatment Center (Ms. Porter's)

I am writing this letter to let you know my feelings in regards to San Diego Treatment Center, and the great need for this program, and its continuation.

I am the Program Manager for Parolee Partnership Program. Parolee Partnership Program is a Case Management Program that provides treatment services for Parolee's that has been identified as having substance abuse problems. We pay for up to 180 days of treatment. Often times when a Parolee is referred to our program, they are in desperate need of detox services. In San Diego County there are extremely limited beds available for detox services. When beds aren't available for detox services, often times these Parolee's are reincarcerated.

San Diego Treatment Center provides an invaluable service for Parolee's that need detox services. Hopefully you can see that without this program, the recidivism rate would soar. Through San Diego Treatment Center, we able to coordinate a continuum treatment. We place on an average between 10 and 15 clients from San Diego Treatment Center into community based treatment. We have found over the years, that when people have been in San Diego Treatment for 21 days, they are much more successful in completing community based treatment programs, and getting off parole, and becoming productive and contributing members of society. Without the services that San Diego Treatment Center provides, it would make San Diego a much more dangerous place for people to live.

Since the conception of this program, it has saved countless lives and made a difference in the community of San Diego. I have no idea where or what would happen, without the services that San Diego Treatment Center provides. If you have any further questions, please feel free to give me a call. I will be willing to take whatever time necessary to explain in more detail the benefits of San Diego Treatment Center.

Sincerely yours,



Howard Foster  
Program Manager  
Mental Health Systems, Parolee Partnership Program



# HOUSE OF METAMORPHOSIS, INC.

2970 Market Street • San Diego, California 92102  
(619) 236-9492

## EXECUTIVE DIRECTOR

Beverly Monroe

August 28, 2008

## BOARD OFFICERS

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Community Outreach

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Department of Defense &

United States Navy - Retired

Center City Development Corporation

401 B Street

San Diego, CA 92101

Re: Letter of Support

Secretary

William Martin

Licensed Sports Nutritionist

To Whom It May Concern:

Treasurer

Melvin Maxwell

SD Police Department - Retired

Please accept this correspondence as a letter of support for San Diego Community Treatment Center (SDCTC) located at 502 Tenth Avenue in San Diego, California. House of Metamorphosis (HOM) has collaborates with SDCTC to provide alcohol and drug treatment services to a diverse population. SDCTC's operates a detoxification program and has enhanced many Parolees lives by offering them a positive direction.

## BOARD MEMBERS

John Barbara, M.S.

California State Parole

We have seen the results of San Diego Community Treatment Center services. The program gives them the tools and motivation to better themselves. I have heard nothing but praises from the Parolees that received services from SDCTC. This Center has made an extraordinary difference in the lives of many individuals.

H.W. "Skipper" Ragsdale, III  
Anderson-Ragsdale Mortuary

Michael Saucedo

Dr. Demo

Demolition Services

Andrea Heithru, M.S.

Policy Consultant

Precision Communications

With this, I strongly request that you extend San Diego Community Treatment Center's Conditional Use Permit at their present location. SDCTC's tireless and invaluable service is indeed an asset to our community. SDCTC is making a difference.

Archie Wright

United States Navy

Contracting Officer, United

States of America - Retired

## EX-OFFICIO MEMBERS

Commissioner Gary S. Bloch

Superior Court

Carolle Jean-Murai, M.D.

Gynecology & Menopause

In memoriam

Doris C. Ringgold, M.A.

Respectfully,

Beverly Monroe  
Executive Director  
House of Metamorphosis, Inc.

BM/ej



**St. Stephen's Cathedral Church of God in Christ Ministries**

*Bishop George D. McKinney, Ph.D., D.D.*

*George A. McKinney, Executive Pastor*

---

28 August 2008

To Whom It May Concern:

I am writing this letter in support of the request to renew the conditional use permit (40-0111) for the San Diego Treatment Center, operated by Lula Porter and located at 502 Tenth Avenue in San Diego, CA.

St. Stephen's Ministries has served the San Diego community for nearly 50 years. As a licensed MFCC and Pastor, and in early recognition of the need to minister, as well as counsel the "whole person" – we offer counseling and other services through our Southeast Counseling and Consulting Services.

Each Sunday morning, an Elder from St. Stephen's conducts Sunday service for the parolees in the San Diego Treatment Center program.

We consider the drug and alcohol services provided through this program to be invaluable. We can suffice it to say that the services received definitely and positively influence the greater San Diego Community.

I strongly encourage you to approve the application for renewal of this permit. If I can be of further service, please do not hesitate to contact me.

Sincerely,

  
Bishop George D. McKinney

Cc: Lula Porter

*"Upon this Rock I will build my Church."*

**MINISTRIES**

Evangelism/Outreach • Bible Studies • Nurture Groups • Media • Social Services • Home Missions • Foreign Missions

---

5825 Imperial Avenue • P.O. Box 740039 • San Diego, CA 92174 • TEL (619) 262-2671 • FAX (619) 262-8335

Email: ststephenscogic@aol.com • Website: www.ststephenscogic.org

**BOB FILNER**  
51ST DISTRICT, CALIFORNIA

VETERANS' AFFAIRS COMMITTEE  
CHAIRMAN

TRANSPORTATION AND INFRASTRUCTURE  
COMMITTEE

AVIATION

HIGHWAY AND TRANSPORT

WATER RESOURCES AND ENVIRONMENT



CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES

August 28, 2008

2422 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
TEL: (202) 225-8645  
FAX: (202) 225-9072

533 F STREET, SUITE A  
CHULA VISTA, CALIFORNIA 91910  
TEL: (619) 422-5565  
FAX: (619) 422-7390

1101 AIRPORT ROAD, SUITE D  
IMPERIAL, CALIFORNIA 92251  
TEL: (760) 355-8800  
FAX: (760) 355-8802

website: [www.house.gov/filner](http://www.house.gov/filner)

Board of Directors  
Center City Development Corporation  
401 B street  
San Diego, CA 92101

Dear Board of Directors:

I am writing this letter in full support of the San Diego Community Treatment Center (SDCTC) obtaining an extension to its present Conditional Use Permit (CUP) to continue operating at 502 Tenth Avenue in San Diego.

The highly professional service that the SDCTC provides to individuals in recovery is both timely and vital to the high quality of life enjoyed by our community. As our great city continues to grow, so does the need for facilities that assist men and women to once again live clean, sober productive lives.

I ask that you grant the San Diego Community Treatment Center its request for an extension of its existing CUP.

Sincerely,

BOB FILNER  
Member of Congress

BF/wb  
2480691

**W & B RE-ENTRY FACILITIES  
MODEL EX-OFFENDERS, INC.  
1719 NATIONAL AVENUE  
SAN DIEGO, CA 92113  
(619) 234-6191 FAX: (619) 234-1917**

August 29, 2008

Center City Development Corporation  
401 B Street  
San Diego, CA 92101

RE: SAN DIEGO COMMUNITY TREATMENT CENTER - C. U. P.

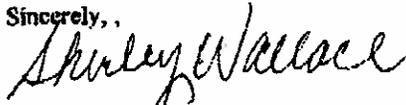
To Whom It May Concern:

We are writing this letter in full support of San Diego Community Treatment Center, located at 502 10<sup>th</sup> Avenue, San Diego, California for the Conditional Use Permit renewal.

This program has been successfully in operation for nineteen years and has contributed to the aid of individuals seeking assistance for alcohol and other drug treatment services. The program needs a two years extension to continue the contract with the California Department of Corrections.

Therefore, we sincerely ask that you consider renewing or extending the Conditional Use Permit for San Diego Community Treatment Center in order to continue assisting the community.

Sincerely,



Shirley Wallace,  
Executive Director

STW:

MODEL EX-OFFENDERS OF SAN DIEGO COUNTY INCORPORATED  
1719 NATIONAL AVENUE, SAN DIEGO, CALIFORNIA 92113 (619) 234-6191



COLDWELL BANKER COMMERCIAL  
NRT

254 TURBOTE DRIVE  
LA MESA, CA 92041  
DUR. (619) 444-0000  
FAX (619) 460-6617

Centre City Development Corporation  
401 B Street  
Suite 400  
San Diego, CA 92101

August 29, 2008

To Whom It May Concern:

Coldwell Banker Commercial Real Estate has been searching diligently to assist The San Diego Community Treatment Center during their transition to a new location. We have provided a constant stream of properties to Ms. Porter for her input. On several occasions, we have taken Ms. Porter on tour to the potential sites.

Even though, site location efforts for The San Diego Community Treatment Center is a problematic assignment, Ms. Porter is aggressively pursuing every potential site that we present to her and other sites that she learns about through her vast contacts in the community.

Ms. Porter is serious and motivated about her effort to relocate the facility she has operated for so long. We have represented her in her attempt to acquire a large site nestled between Lakeside and Alpine. Although unsuccessful in the acquisition of that particular site, we feel confident that Ms. Porter will be successful in acquiring a similar site in the very near future.

Ms. Porter has recently selected Coldwell Banker Commercial NRT to market her 10<sup>th</sup> Avenue property. We have serious inquiries and interest about the site from several parties, having just sold another high profile property four blocks from The San Diego Community Treatment Center.

We are available to meet and discuss our site relocation efforts with you, as appropriate. Please feel free to contact me directly.

Sincerely,

Mike Habib  
Senior Certified Broker  
Coldwell Banker Commercial NRT

Owned And Operated By NRT Incorporated

September 2, 2008

To: Center City Development

Re: Letter of support

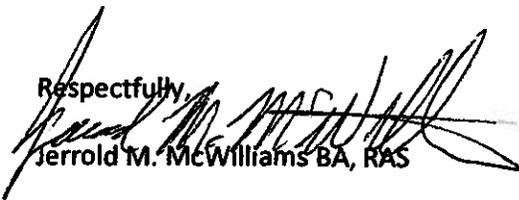
To whom it may concern,

This letter is in support for the San Diego Community Treatment Center (CTC) to remain open. This facility is the only one of its kind in the state of California (Detox for parolees only). Since March 1991, Mrs. Porter and her staff have provided a safe atmosphere for parolees to get off mind altering substances in hopes of changing their lives and breaking the chains and barriers that parolees face while trying to once again become productive citizens. I believe that because CTC is a locked facility and is closely monitored by parole, the residents have never posed a threat to the surrounding community.

If not for Mrs. Porter's program, I don't believe I would be where I am today. I paroled from prison September 1990 and checked in to the San Diego Community Treatment Center April 11, 1991 just thirty days after the facility opened. Through her guidance and direction, I became one of the first clients to graduate the program. After graduation, Mrs. Porter allowed me (With the approval of parole) to do some volunteer work at the center and gain work experience which I apply to the job I do today. In October 1991, I discharged from parole, worked as a counselor at the center for two years before moving on. I went back to school and received my Bachelors Degree in Addictive Behaviors and hold a Registered Addiction Specialist Certification. I also received a Certificate of Rehabilitation November 2004. I worked for five years case managing parolees trying to kick the habit of drugs and alcohol. I currently teach parolee inmates a variety of educational subjects in the (ICDTP) In Custody Drug Treatment Program through the Contra Costa County Office of Education and the California Department of Corrections and Rehabilitation.

It all started for me as well as others at the San Diego Community Treatment Center. There is a long list of individuals who have gone through Mrs. Porter program. They have discharged parole, are living productive lives, have reunited with their families, free from drugs/alcohol, are gainfully employed and are positive influences in their community. This program is needed and it would be a great disservice to the community not to renew the Conditional Users Permit for CTC to remain open. The San Diego Community Treatment Center changes and possibly saves lives.

Respectfully,

  
Jerrold M. McWilliams BA, RAS

**DIVISION OF ADULT PAROLE OPERATIONS**

1515 S Street, Room 212-N, Sacramento, CA 95811-7243  
P.O. Box 942883, Room 212-N  
Sacramento, CA 94283-0001



September 02, 2008

To Whom It May Concern:

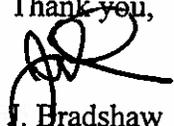
This letter is send in support of Ms. Porter and her program, the San Diego Treatment Center.

With eighteen years of law enforcement experience, 8 with Probation and 8 with Parole, I can honestly say the San Diego Treatment Center is one of the best options Parole has for placement of drug and alcohol addicts. Bottom line, without the program, San Diego will have 20+ addicts on the streets every day, every month, every year committing crimes to feed their addictions.

San Diego Treatment Center is a necessary tool that parole uses as a stepping stone to long term programs. Long term programs usually have a waiting list or will not take clients who test positive for drugs or alcohol. Mr. Porter makes it possible to house and treat these people while we prepare the next step of recovery.

It would be a mistake to close this program and a disservice to our addicts, their families, and the community.

Thank you,

  
J. Bradshaw  
Parole Supervisor  
3502 Kurtz St.  
San Diego CA 92110



**CURTIS MORING**

*Insurance Agency, Inc.*

September 2, 2008

Center City Development Corporation  
401 B Street  
San Diego, CA 92102

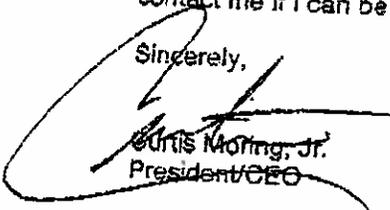
RE: San Diego Community Treatment Center

To Whom It May Concern:

I am writing in support of San Diego Community Treatment Center's request to renew their Conditional Use Permit. I have known Lula Porter for over 30 years. Her work with the parolees has helped to enhance their lives. Her work within the community is invaluable.

I strongly recommend that you grant an extension of her Conditional User Permit. Please do not hesitate to contact me if I can be of any further assistance.

Sincerely,



Curtis Moring, Jr.  
President/CEO

David Cardan  
12737 gibraltar drive  
San Diego, CA 92128  
(858)675-7408

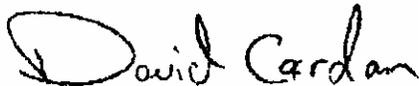
Center City Development Corporation  
401 B St.  
San Diego, CA 92101

Re: Support letter

To whom it may concern.

This letter is in support of the San Diego Treatment Center located at 502 10<sup>th</sup> avenue. I have owned the property next to the center (516 10<sup>th</sup> ave) since 1996. Mrs. Porter runs a tight ship as she is there seven days a week. Its service is very valuable to the parole office. I have never had any problems with her operation, in fact at times I feel safer by having that operation next to me.

David Cardan

A handwritten signature in black ink that reads "David Cardan". The signature is written in a cursive style with a large, looped initial "D".

September 2, 2008

To: Center City Development

Re: Letter of support

To whom it may concern,

This letter is in support for the San Diego Community Treatment Center (CTC) to remain open. This facility is the only one of its kind in the state of California (Detox for parolees only). Since March 1991, Mrs. Porter and her staff have provided a safe atmosphere for parolees to get off mind altering substances in hopes of changing their lives and breaking the chains and barriers that parolees face while trying to once again become productive citizens. I believe that because CTC is a locked facility and is closely monitored by parole, the residents have never posed a threat to the surrounding community.

If not for Mrs. Porter's program, I don't believe I would be where I am today. I paroled from prison September 1990 and checked in to the San Diego Community Treatment Center April 11, 1991 just thirty days after the facility opened. Through her guidance and direction, I became one of the first clients to graduate the program. After graduation, Mrs. Porter allowed me (With the approval of parole) to do some volunteer work at the center and gain work experience which I apply to the job I do today. In October 1991, I discharged from parole, worked as a counselor at the center for two years before moving on. I went back to school and received my Bachelors Degree in Addictive Behaviors and hold a Registered Addiction Specialist Certification. I also received a Certificate of Rehabilitation November 2004. I worked for five years case managing parolees trying to kick the habit of drugs and alcohol. I currently teach parolee inmates a variety of educational subjects in the (ICDTP) in Custody Drug Treatment Program through the Contra Costa County Office of Education and the California Department of Corrections and Rehabilitation.

It all started for me as well as others at the San Diego Community Treatment Center. There is a long list of individuals who have gone through Mrs. Porter program. They have discharged parole, are living productive lives, have reunited with their families, free from drugs/alcohol, are gainfully employed and are positive influences in their community. This program is needed and it would be a great disservice to the community not to renew the Conditional Users Permit for CTC to remain open. The San Diego Community Treatment Center changes and possibly saves lives.

Respectfully,

  
Jerrold M. McWilliams BA, RAS

September 4, 2008

Center City Development Corporation  
401 B Street  
San Diego, Ca. 921001

Re: San Diego Treatment Center- CUIP

To Whom It May Concern,

I am writing to you to communicate my support for renewal of the Conditional Use Permit for the San Diego Treatment Center.

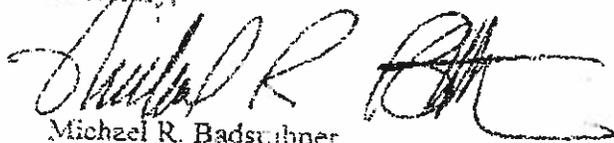
I am the retired Regional Parole Administrator for the California Department of Corrections. While serving the State of California in that capacity I had the pleasure of interacting with Ms. Lulia Porter and administering her contract with the State of California. Her corporation provided valuable service to the community and to the parolees she served.

Community treatment of drug abuse is an increasingly popular, effective, and fiscally responsible means of combating addiction and crime in our communities. Ms. Porter and her staff have always fulfilled the terms of her contract and operated her facility in a professional and safe manner. It is a locked facility and mentored by her staff as well as being overseen by peace officers from the State of California. The community has not been harmed by the presence of this facility. The community has in fact been helped by aiding in the rehabilitation of residents of San Diego.

I would strongly recommend the renewal of the Conditional Use Permit for the San Diego Treatment Center.

Please contact me if you have questions. I can be reached at (760) 803-4735.

Sincerely,



Michael R. Badstubner  
Regional Parole Administrator (Retired)  
30862 So. Coast Hwy. K54  
Laguna Beach, Ca. 92651

September 5, 2008

Board of Directors  
Center City Development Corporation  
401 B Street  
San Diego, Calif.

Gentlemen,

I fully support the San Diego Community Treatment Center in requesting an extension on the Conditional Use Permit. Mrs. Porter has directed for years, an extremely useful and productive program for substance abusers that is a model for the industry. It has changed many lives and made productive and useful citizens from former addicts.

Please extend her CUP for the two years remaining on her contract. Much will be achieved by continuing and much more would be lost if her program had to be discontinued.

Sincerely,



Richard Gillelen

**DIVISION OF ADULT PAROLE OPERATIONS**  
SAN DIEGO #2  
3502 KURTZ STREET  
SAN DIEGO, CA 92110



September 8, 2008

To Whom It May Concern:

RE: San Diego Treatment Center

I support Ms. Lulu Porter and the San Diego Treatment Center located at 502 10<sup>th</sup> Avenue. I have been a California Parole Agent for the past 24 years and currently work with parolees in the city of San Diego. In all of my dealings with Ms. Porter and the SDTC, I have observed her facility to be run in a very safe, professional and effective manner. The detox services her program provides is crucial to the safety of the community and to the recovery of those under the influence of drugs and alcohol. Although her clients are often on probation or parole, no one is placed into her program who has committed a crime beyond drug or alcohol use.

As for the community concerns, I am also a resident and neighbor of SDTC, living only two blocks away. I walk my dog every morning and evening and have never seen any of SDTC clients outside of the facility nor does the facility create any noise or problems for the community. I have no objection to the SDTC's existence in my neighborhood.

The large number of transients in the area are of much greater concern and are not there because of the SDTC, but rather to be close to the services of St. Vincent De Paul. It is important to note that the far majority of these people don't cause any problems. There are two reasons for that: The San Diego PD does a marvelous job of pro-active policing and homeless outreach. And (2) the community of San Diego offers numerous services and takes a very humanistic approach to these problems. The combination of enforcement and services provides a very successful approach. A permanent homeless shelter would be a great asset to the community, and the SDTC is, definitely, a program the San Diego community does not want to lose.

John Blum  
Parole Agent

A handwritten signature in cursive script that reads "John Blum".