

RESOLUTION NUMBER R- 307613

DATE OF FINAL PASSAGE JUL 24 2012

A RESOLUTION APPROVING CONDITIONAL USE PERMIT
NO. 982799 FOR THE OLD TOWN TRANSITIONAL
HOUSING PROJECT NO. 259358

WHEREAS, PV Old Town, LLC, Owner/Permittee, filed an application with the City of San Diego for a Conditional Use Permit (CUP) to operate a 40-bed maximum military transitional housing facility known as the Old Town Transitional Housing project, located at 2121 San Diego Avenue, and legally described as Parcel A, in the City of San Diego, County of San Diego, State of California, as shown at Page 547 of Parcel Maps, filed in the Office of the County Recorder of San Diego County, June 18, 1971; together with Lots 8, 9, and 10 in Block 218 of Middletown, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof made by J.E. Jackson, on file in the Office of the County Clerk of San Diego County, in the Uptown Community Plan area, in the CL-6 Zone of the Mid-City Communities Planned District; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on JUL 24 2012, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to CUP No. 982799:

A. CONDITIONAL USE PERMIT SDMC SECTION 126.0305

1. The proposed development will not adversely affect the applicable land use plan. The project proposes a transitional housing facility for active duty military persons and honorably discharged veterans. The project site is located in the Uptown Community Plan with the site designated for Commercial/Residential use, with a medium residential density designation (15-29 dwelling units/acre). The adopted Uptown Community Plan states “the Commercial/Residential designation is generally applied to linear areas between mixed-use commercial nodes within the Uptown Community Plan Area. Permitted uses include either general commercial, office or residential. Developments with a mixture of uses are also encouraged. These areas tend to be less intense in use and more automobile oriented. Single use residential projects are permitted in areas designated for commercial/residential use. The medium residential density designation would allow 18 residential dwelling units for the project site. The proposed project of 40 transitional housing beds is consistent with the current land use designation and will not adversely affect the Uptown Community Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The project proposes to operate a 40-bed transitional housing facility within an existing, three-story building with subterranean parking located at 2121 San Diego Avenue. All Uniform Building, Fire, Plumbing, Electrical, and Mechanical Code requirements will be met with the proposed project. Therefore, the proposed project will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code. The proposed project complies with the applicable development regulations of the CL-6 Zone of the Mid-City Communities Planned District (MCCPD) and all other applicable regulations of the Land Development Code. No deviations are proposed as part of this project. The CL-6 Zone of the MCCPD is a commercial linear zone that permits residential development. Transitional housing facilities are a separately regulated use within the Land Development Code. The MCCPD incorporates the separately regulated use regulations except when there is a conflict with the MCCPD. The proposed project does not have a conflict with the MCCPD, as transitional housing facilities are allowed within the CL-6 Zone of the MCCPD with the application of a Conditional Use Permit (CUP) in accordance with Land Development Code Section 151.0401.

Specifically, Section 151.0401(c) provides that if the planned district regulations are silent as to how to process permits for separately regulated uses, the City Manager may determine that the separately regulated use meets the purpose and intent of the applicable planned district zone. Section 151.0401(c) further provides that if the City Manager makes such a determination, then the separately regulated use may be processed in accordance with the base

zone category from San Diego Municipal Code Chapter 13, Article 1 that most closely meets the purpose and intent of the planned district zone.

As applied to this Project, the MCCPD is silent as to the process to approve transitional housing facilities. Development Services staff determined that the transitional housing use meets the purpose and intent of the CL-6 Zone of the MCCPD, which provides for automobile oriented commercial districts in which residential or mixed-use development is also encouraged. Staff further determined that the CC-1-1 Zone from Chapter 13, Article 1 most closely meets the purpose and intent of the CL-6 Zone of the MCCPD. Similar to the CL-6 Zone, the CC-1-1 Zone provides for a mix of community-serving commercial uses and residential uses and is intended to accommodate development with strip commercial characteristics. It follows that the Project may be approved in accordance with the use regulations tables in Chapter 13, Article 1 for transitional housing facilities in the CC-1-1 Zone. Use regulations Table 131-05B provides that transitional housing for seven or more persons may be permitted with a CUP. Therefore, the Project may be approved by City Council with a CUP, and the proposed project complies with the regulations of the Land Development Code.

4. The proposed use is appropriate at the proposed location. The project proposes to operate a 40-bed transitional housing facility within an existing, three-story building with subterranean parking located at 2121 San Diego Avenue. The project will provide a range of programs related to occupational therapy, vocational rehabilitation, psychology, and social work and services for active duty military persons and armed forces veterans who would benefit from the structure and support of a residential treatment and rehabilitation environment. Persons selected for program would stay for an average of 60-120 days. All persons selected for the program would be screened and selected for admission through the San Diego Veterans Administration Medical Center located in La Jolla.

The project site is located in the CL-6 Zone of the MCCPD which is a commercial linear zone that permits residential development. Transitional housing facilities are a separately regulated use within the Land Development Code. The site is adjacent to Highway 5 on the west, San Diego Avenue on the east, a veterinary clinic on the north and an apartment building on the south. The Uptown Community Plan identifies San Diego Avenue as a Major Street. The segment of San Diego Avenue between Washington Street and Old Town Avenue, which includes the project site, is described as an auto-commercial node. Uses within 500 yards of the project site along both sides of San Diego Avenue include apartments, offices, a charter school, a veterinarian clinic, a liquor store, and restaurants. Multi-family and single-family residential uses are located up the hill east of the project site along side streets that intersect San Diego Avenue. Given the variety of uses surrounding the project site, the proposed project is appropriate at the proposed location.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED, that Conditional Use Permit No. 982799 is granted to PV Old Town, LLC, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

BE IT FURTHER RESOLVED, that the document titled VA San Diego Healthcare System, VA Aspire Center, dated July 23, 2012, was negotiated between the private parties, and is incorporated into Conditional Use Permit No. 982799 for informational purposes only.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Exemption with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 

Nina M. Fain
Deputy City Attorney

NMF:jls:als
05/25/2012
06/12/2012 COR. COPY
06/21/2012 COR. COPY 2
7/25/2012 REV.
Or.Dept: Development Services
Doc. No. 408927

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

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24002233

CONDITIONAL USE PERMIT NO. 982799
OLD TOWN TRANSITIONAL HOUSING PROJECT
PROJECT NO. 259358
CITY COUNCIL

This Conditional Use Permit No. 982799 is granted by the City Council of the City of San Diego to PV Old Town, LLC, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 0.63-acre site is located at 2121 San Diego Avenue in the CL-6 Zone of Mid City Communities Planned District within the Uptown Community Plan. The project site is legally described as: Parcel A, in the City of San Diego, County of San Diego, State of California, as shown on Page 547 of Parcel Maps, filed in the Office of the County Recorder of San Diego County, June 18, 1971. Together with: Lots 8, 9 and 10, Block 218 of Middletown, in the City of San Diego, County of San Diego, State of California, according to Partition Map thereof made by J.E. Jackson, on file in the Office of the County Clerk of San Diego County.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a 40 bed transitional military housing facility that will provide a range of programs related to occupational therapy vocational rehabilitation, psychology and social work services for active duty military persons and armed forces veterans, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated July 24, 2012, on file in the Development Services Department.

The project shall include:

- a. 40-bed maximum transitional military housing facility within the existing, three-story, 46,926 square foot building over subterranean parking;
- b. Off-street parking; and

- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by July 24, 2015.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

ENGINEERING REQUIREMENTS:

10. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the replacement of the existing driveways with the same width City standard driveways, on San Diego Avenue, satisfactory to the City Engineer.

11. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the installation of additional sidewalk adjacent to the existing fire hydrant and power pole, on San Diego Avenue, to provide a minimum of 4.5 feet sidewalk, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

12. Owner/Permittee shall maintain a minimum of 58 off-street parking spaces on the property at all times (project currently has 122 parking spaces within the subterranean garage) in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

13. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

14. Prior to issuance of building permits, construction documents shall illustrate that the facility will provide at least 8 square feet of storage area (closet or drawers) per bed.

15. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

TRANSPORTATION REQUIREMENTS

16. The Owner/Permittee shall install one 20- foot passenger loading zone with appropriate sign and curb markings adjacent to the main entrance of the building, along San Diego Avenue, to the satisfaction of the City Engineer.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.
- The document titled VA San Diego Healthcare System, VA Aspire Center, dated July 23, 2012, was negotiated between the private parties VA San Diego Healthcare System Aspire Center and Old Town Academy, and is incorporated into this Permit for informational purposes only.

APPROVED by the City Council of the City of San Diego on July 24, 2012 and
Resolution No. R-307613

Conditional Use Permit No. 982799
Date of Approval: July 24, 2012

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Laura C. Black, AICP
Development Project Manager

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

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

PV Old Town, LLC
Owner/Permittee

By _____
Andrew M. Kaplan
Chief Executive Officer, PacVentures,
Inc. (Sole Manager)

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

**VA SAN DIEGO HEALTHCARE SYSTEM
VA ASPIRE CENTER**

The VA San Diego Health Care System hereby makes the following statement with regard to the use of the property and program details of the Aspire Center located at 2121 San Diego Avenue. This statement is being made in support of PacVentures, Inc.'s application for a Conditional Use Permit (CUP) with the City of San Diego.

Conditional Use Permit

The Aspire Center will be a unique transitional program focusing on aiding Operation Enduring Freedom (OEF), Operation Iraqi Freedom (OIF), and Operation New Dawn (OND) Veterans to reintegrate into civilian life once honorably discharged from active duty. Veterans that are screened and are determined to be a danger to themselves or others will not be admitted to the Aspire Center. The goal is for all Veterans to leave the program with the basic skills necessary for leading a self-sufficient and independent life, including gaining employment and maintaining housing. A CUP is sought from the City Council for the VA San Diego Aspire Center to contain the following uses:

- a. 40 bed transitional housing program for men and women (floors two and three).
- b. Administrative offices including full service kitchen for residents and employees, training facilities and storage (first floor).

1. Parking

There shall be no on-street parking required for the proposed uses. No oversized vehicles will be stored on residential streets and must be stored at VA La Jolla or other approved locations. Aspire Center Staff, Patients and Visitors will be instructed to park in the garage and not to park on the street.

2. Transitional Housing

- a. The VA shall provide 40 transitional housing beds located on third floor of the Aspire Center. There will be approximately 34 beds for men and 6 beds for women. On-site management and security staff shall be present at all times.
- b. There will be 40 living units occupying the 3rd floor.
 - i. The maximum occupancy for a living unit is one person.
 - ii. A complete bathroom is not required in every living unit. However, at least one private toilet must be provided and be screened from the remainder of the unit.
 - iii. Each living unit that is not provided with a private shower or bathtub must be served by a shared shower or bathtub. Shared bathing facilities must be provided at a ratio of at least one Aspire Center for every five units, or fraction thereof, which lack private bathroom facilities. Each shared bathing Aspire Center must be on the same floor as the units it is intended to serve, must be directly accessible from a common area or hallway, and must have an interior lockable door.

- iv. Sleeping areas shall not be used as a public or general passageway to another room, bath, or toilet.
 - v. The Aspire Center shall provide at least five square feet of living area per bed, not including sleeping space, dining areas, and kitchen areas.
 - vi. The Aspire Center shall provide at least eight square feet of storage area (closet or drawers) per bed.
- c. The Aspire Center shall provide a front desk with a full view of the entry area, staffed 24-hours a day, and seven days a week; or provide an operational outdoor entry intercom system immediately connecting to the supervising staff.

3. **Aspire Center Treatment Program.**

a. **Veteran Admission and Discharge Criteria and Process**

- i. Before admission into the Center, two medical professionals will review potential Veteran applicant's available VA and active duty medical records. These documents will factor into the determination whether the Veteran meets the Aspire Center admission criteria. Potential residents will be screened using both the VA PTSD PCL 1-C test and the Clinician-Administered PTSD Scale test, which screen for and evaluate symptoms related to PTSD. Veterans that are screened and are determined to be a danger to themselves or others will not be admitted to the Aspire Center.
- ii. Veterans with known sexual misconduct convictions will not be allowed to participate in Aspire Center program and will be treated by means other than the Aspire Center.
- iii. Veterans with known violent tendencies will not be allowed to participate in Aspire Center program and will be treated by means other than the Aspire Center.
- iv. Veterans involved in an incident at the Aspire Center involving violence or potential violence with any risk to the surrounding community will be discharged from the Aspire Center and transported by the VA back to the VA hospital in La Jolla.
- v. Individuals judged to be a danger to self or danger to others will not be admitted to the Aspire Center or permitted to reside at the Aspire Center.
- vi. Maximum length of each treatment episode will be 180 days.
- vii. All admission screening and any irregular discharges shall be done at VA La Jolla Medical Center.
- viii. Regular admissions and discharges (which represent the point when a Veteran is ready for independent living) will permit the Veteran patients to drive his/her car from the premises or be picked up by a family member/significant other/friend.

- ix. Veterans must possess a valid address upon regular discharge from the Aspire Center and VA must confirm the address prior to discharge.

b. General Operations

- i. The Aspire Center shall not operate as a Congregate Meal Aspire Center offering meals to the general public.
- ii. The Aspire Center will be open seven days of the week.
- iii. All activities associated with the Aspire Center shall occur within the confines of the building.
- iv. The Aspire Center shall provide on-site supervision at all times.
- v. A 10 PM curfew policy will be implemented.
- vi. Only those Veterans actively participating in a program of the Aspire Center will utilize the Aspire Center.

c. Incident Protocol

- i. VA shall appoint a member to the Old Town Academy (OTA) Safety Committee to assist in the creation of a safety protocol for OTA to follow if there is an incident at the Aspire Center that has the potential to immediately impact the school's safety.
- ii. A representative of the Aspire Center will participate in a vetting of the final School Site Emergency Plan as required under state law.
- iii. VA shall inform OTA within thirty (30) minutes of any incident at their Aspire Center that poses a potential danger to OTA or the surrounding community as OTA may have to go on lockdown.

d. Building Security

- i. 24/7 cameras will be installed and a security guard security maintained at the Aspire Center to include perimeter monitoring.
- ii. The Aspire Center is to be designed with a secure, key-card controlled single entry system.
- iii. The Sliding doors to balconies at the Aspire Center must be locked at all times and not accessible to residents.
- iv. The VA will install a reflective coating on the Aspire Center's 3rd floor bedroom windows that face San Diego Avenue.

e. Program Restrictions

- i. 40 beds is the maximum occupant count and cannot be expanded.
- ii. Smoking area must be on I-5 side of building only.
- iii. No additional outpatient services involving patients frequenting the building will be allowed on the ground floor of the building.

- iv. Parking and parking garage to be maintained for the designated number of spaces (minimum of 93)
- v. The VA may not sublet office spaces or clinical spaces to non-VA organizations.
- vi. Patients may not store their vehicles on residential streets.
- vii. Aspire Center will comply with parking ratio required for all approved uses.
- viii. Aspire Center staff and residents will park in designated Aspire Center Parking
- ix. Signage will direct Visitors to "Aspire Center Parking" with arrow to garage
- x. VA will not expand programs to include any adjacent buildings.

4. Neighborhood Advisory Committee (NAC)

- a. A Neighborhood Advisory Committee (NAC) (attached Exhibit 2) shall be established by the VA to give regular input on the operation of the Aspire Center. The advisory group shall be formed within 30 days of the approval of the CUP and shall consist of representatives of residents, business owners and property owners within a half mile radius of the Aspire Center, local community, and neighborhood and business organizations. Initially, the VA shall meet with the NAC on a monthly basis during the first year of operation and quarterly thereafter. If an earlier meeting is requested by the NAC based on an urgent matter, the VA shall reasonably attempt to accommodate the request.
- b. The VA shall provide the following reports to the NAC:
 - i. Monthly summary of security incidents logged by the Aspire Center.
 - ii. Annual report of compliance with this permit, including a summary of incidents logged by VA Police, San Diego Police and the private security for the Aspire Center, as well as incidents logged by the San Diego Police Department, and private security for adjacent properties if provided. The report shall be delivered on the yearly anniversary of the first NAC meeting.

5. Security Plan

- a. The VA shall develop and maintain a Security Plan for the Aspire Center. The Security Plan shall be provided to the NAC for comment. The Security Plan shall contain, at a minimum, the components and provisions as shown in Exhibit 3. The minimum requirements, including, but not limited to, security personnel and video surveillance, shall not be reduced without approval of an amendment to this Permit.

6. **60-Month Review**

Sixty (60) months from the effective date of the CUP, this permit shall be reviewed by the NAC to ensure conformance with the conditions stated herein. The NAC will provide a report of its review to the San Diego City Council.

7. **Common Areas**

The subject property and associated common areas on site shall be maintained clean and free of graffiti at all times.

8. **School Emergency Plan**

An Aspire Center staff member will join the OTA School Safety Committee charged with creating and updating a yearly School Site Emergency Plan.

EXHIBIT 1

ASPIRE CENTER
REGULATIONS AND RULES OF CONDUCT FOR
PATRONS, RESIDENTS AND VISITORS

1. Anyone engaging in behavior that is disruptive, threatening, violent or illegal will be discharged from the program and required to leave the premises to the VA San Diego Health Care System in La Jolla. Behavioral agreements with Veteran participants will contain a provision that such behavior will be grounds for dismissal.
2. No Weapons.
3. No loitering or queuing around the outside of the Aspire Center shall be permitted at any time.
4. No illegal drugs are allowed in the Aspire Center.
5. No alcohol is allowed in the Aspire Center including any public space in the living units of the Aspire Center.
6. No smoking is allowed inside the Aspire Center, and smoking outside the Aspire Center is only allowed in designated smoking areas.
7. No unattended children. All children must be accompanied by an adult.
8. Belongings may be searched and checked into the storage area should security deem it necessary.
9. Each resident of the Aspire Center transitional program will sign house rules (behavioral agreement) that are designed to ensure the community's safety and security. Any illegal behavior in the Aspire Center or around the building will not be allowed, and will be grounds for dismissal.
10. All residents of the Aspire Center will be screened to verify they are not registered sex offenders via California Meagan's Law.
11. Intake specialists will perform intensive prescreening interviews to assure suitability for participation.
12. Visitors are requested to use designated visitor parking spaces. Permits may be obtained from the Aspire Center front desk.

EXHIBIT 2
ASPIRE CENTER
NEIGHBORHOOD ADVISORY COMMITTEE (NAC)

The current Neighborhood Advisory Committee shall be modified to facilitate appropriate interchange and beneficial collaboration between the Aspire Center and the surrounding community. This NAC shall work with neighborhood residents, businesses, and organizations to develop and recommend remedies that would enhance such interaction. The NAC will initially be composed of representatives from each of the following groups:

1. Business Representative - From an office-type business within ½ mile to be nominated by Old Town Chamber of Commerce
2. 3 Residents- Living within ½ mile from Aspire Center selected from the existing Neighborhood Advisory Committee by the NAC
3. 2 parents and one administrative representative nominated by the Old Town Academy,
4. One representative from a San Diego County Mental Health Agency or from an Uptown Mental Health Agency
5. One Aspire Center Professional Staff
6. One representative from Uptown Planners
7. One representative from the Western Slopes Community Organization
8. One representative from the San Diego Police Department

The modified NAC will be formally established prior to commencement of operations. The NAC will set its own rules for operations to help them function effectively and efficiently, including the designation of representatives of the NAC as a whole. NAC meetings shall be hosted and coordinated by the VA Aspire Center. The NAC shall meet on a monthly basis during the first year of operation and quarterly thereafter, unless an earlier meeting is requested on an urgent matter. The NAC shall exist in perpetuity or until it is no longer necessary. The purpose of the NAC shall be to review, evaluate, and provide solutions to improve the interaction between the Old Town Community and the VA Aspire Center, focusing on the area approximately a half mile from the VA Aspire Center San Diego site at 2121 San Diego Avenue.

EXHIBIT 3

ASPIRE CENTER
SECURITY PLAN

The following Security Plan is designed to provide a minimum set of standards to address exterior site security procedures at 2121 San Diego Avenue in context with operating Aspire Center programs.

1. Facility

The immediate facility identified as 2121 San Diego Avenue in the Old Town Neighborhood of the Uptown Community Plan Area is hereinafter is referred to as the 'Aspire Center'. The Aspire Center is a three story residential/office building located in Old Town/Mission Hills San Diego. The Aspire Center is located on the Southern side of San Diego Avenue between Hortensia and Bandini Streets, and abutting the Interstate 5 freeway. This location description will be deemed as the Aspire Center boundaries. The Aspire Center is used as a location for transitional housing; and support services for the Veteran population in San Diego needing support to manage problems with PTSD or Mild-Moderate Traumatic Brain Injury and leading to homelessness

2. Security Services

ASPIRE CENTER and its successors (hereinafter referred to as 'Manager') shall contract with a private security services company, whose Security Officers are licensed by The State of California's Bureau of Security & Investigative Services. Such third-party security services (hereinafter referred to as 'Contractor') shall provide physical security designed to safeguard employees, residents, visitors, pedestrians, and facilities, at and around the Aspire Center. Such Contractor duties shall include and not be limited to the prevention of loss, theft, damage, unauthorized use of the Aspire Center, criminal acts, as well as the maintenance and preservation of the Aspire Center's 'Rules of Conduct Regulations' (Exhibit I). A well-trained and equipped security officer force, including the hiring of security officers (hereinafter referred to as 'Officer'), will be provided by the Manager to provide an effective means for implementing and monitoring the provisions of the Security Plan explained below.

Contractor services

The Contractor will furnish all labor, supervision, materials, equipment and personnel necessary to provide security services in accordance with the stated requirements below. The Contractor will implement all necessary hiring, scheduling, Officer supervision, and the implementation of established detailed procedures designed to ensure timely accomplishment of all security service requirements. Officers are responsible for the protection and safety of the Aspire Center, its employees, visitors, and residents.

3. Staffing

There will be at least two Officers at the Aspire Center at all times during OTA school hours 7:45AM – 6:00 PM, and one officer at the Aspire Center at all times during the early morning shift, seven days per week, 365 days per year. Work Shifts: Shifts are as follows (the hours are approximate):

Night: 11:00 PM to 7:00 AM
Day: 7:00 AM to 3:00 PM
Swing: 3:00 PM to 11:00 PM

A security guard shall survey public sidewalks adjacent to the Aspire Center at least one (1) hour prior to the opening and one hour after closing of the Service Center or Health Clinic to discourage any potential queuing or loitering.

Aspire Center Patrols: Security staff Officers will conduct exterior site patrols of the Aspire Center, using standard 45 minute patrols, with 15 minute periods for each hour throughout both the daytime and swing shift to coordinate activity and reporting requirements with other personnel at the site. Foot patrols must be made of the entire exterior Aspire Center boundaries during each 45 minute patrol. These patrols are designed to detect suspicious activity or other kinds of activity that affect the safety, security, and quality of life of the residents, visitors, and pedestrians of the area patrolled.

The Officer will monitor and enforce the following regulations, concerns, and policies:

Aspire Center Rules & Regulations: Officers will observe, report, communicate, and enforce the Rules and Regulations of the Aspire Center as provided by Manager.

Assigned Officers must visually and physically inspect the Aspire Center boundaries and act to prevent a diminishment of quality of life issues for the community.

Life and Aspire Center Safety: The assigned Officer will identify and respond to as necessary and to their ability any potential risks to life, safety, and security to both persons and the Aspire Center. The assigned Officer must conduct perimeter security checks for exterior locked doors, windows, or other unsecured physical facilities conditions.

Further, during the course of their duties Officers shall:

- Not leave their post of patrol for any reason other than an emergency
- Remain on continuous patrol when not dealing with an incident
- Be well versed with the Aspire Center emergency and fire, life and safety procedures for the safety of visitors, clients, staff, residents and others at the Aspire Center.
- Not permit loitering at the Aspire Center, and will require loiterers to leave the premises or Aspire Center.

If a customer, client, visitor or resident of the Aspire Center refuses to cooperate with any necessary request to comply with the above Rules and Regulations or other related concerns, the Officer will use necessary means to respectfully and courteously enforce the Aspire Center's security procedures.

4. Video Surveillance

A 24-hour recorded video surveillance system shall be provided to monitor the two surrounding exterior sidewalks of the Aspire Center. Security cameras shall be installed and properly kept in

good maintenance at every exterior entrance, at each corner of the exterior perimeter of the Aspire Center, interior stairs and elevators, and in the main hall of the multi-service center.

Security video-cameras shall be made available to the San Diego Police Department (SDPD) vehicles through a 'live-feed', if requested by the SDPD.

6. Reporting and Documentation

Contractor shall ensure that their activities at the Aspire Center are documented and reported and that such documents and reports are kept in writing at the Aspire Center for Manager's immediate and periodic review, and for the Neighborhood Advisory Committee's (NAC) periodic review as may be requested by the NAC. In addition, Contractor shall maintain records of activity outside of the Aspire Center within its Aspire Center boundaries that include:

- Maintaining a Daily Activity Report providing a detailed daily written report of all security or Rules and Regulations violations, patrols made, incidents, and other irregular activity or unusual events at the Aspire Center. Included within this report will be all and other noteworthy concerns.
- Maintaining a Monthly Activity Summary Report which summarizes, tracks, and trends each month, the Daily Activity Report and Contact Sheet, as well as other noteworthy security conditions at the Aspire Center.

(The above referenced Report forms and Sheets will be prepared at a later date by the Aspire Center and be made available to the NAC should a request be made).

7. Security Plan/Operating Procedures

A Security Plan and Standard Operating Procedures will be implemented for Aspire Center security, which details the duties and responsibilities for policing the site and adjacent areas. The Security Plan and Standard Operating Procedures Manual shall include the following:

- a. A listing of general site rules and specific officer duties to include the following minimum conditions:
 1. Security officers shall not leave his/her post or patrol area for any reason. Security officers must remain on continuous patrol when not dealing with an incident.
 2. All security officers shall be well versed with the emergency procedures of the post for the safety of residents, clients, and visitors.
 3. Loitering on-site is not permitted. Politely inform loiters and ask that they leave the premises.
 4. Security officers shall do a complete patrol of the interior of the Aspire Center, adjacent sidewalks, and stairwells at the beginning and end of their shift.
- b. A list of important contact information (telephone and email) should emergencies arise to include:
 1. Chief of VA Police or designee.
 2. Aspire Center Manager.
 3. San Diego Police Department HOT team and Non-Emergency line.

4. City of San Diego Neighborhood Code Compliance Department.
 5. Alarm System.
 6. Emergencies and special assignments.
- c. Incident Reports to include:
1. Responsibilities and procedures for members of the Security Team.
 2. Responsibilities and procedures for supervisory and command personnel.
 3. Disposition of reports.
 4. Alarm Response documentation.