

DATE ISSUED: November 13, 2002 REPORT NO. 02-263

ATTENTION: Honorable Mayor and City Council  
Docket of November 19, 2002

SUBJECT: San Diego Rescue Mission- Conditional Use Permit (CUP) No. 8673,  
Project Number 1826, Council District Two, Process Five

REFERENCE: CUP 100-PC (Attachment 11); CUP 90-1053 (Attachment 12)

OWNER/  
APPLICANT: San Diego Rescue Mission

SUMMARY

Issues - Should the City Council approve the issuance of a CUP to amend CUP No. 90-1053 to convert an existing six-story hospital building into a 416-bed Transitional Housing Program and Residential Care Facility; Homeless Facilities including Congregate Meal Facilities to accommodate up to 250 persons daily; Emergency Shelter to accommodate 60 women and children per night; and incidental uses in support of the facility, and a three-story 77-space parking structure and a three-story 122-space parking structure?

Staff's Recommendation

1. CERTIFY Mitigated Negative Declaration No. 41-0900 and ADOPT Mitigation, Monitoring and Reporting Program; and
2. APPROVE CUP No. 8673 and amend CUP No. 90-1053.

Community Planning Group Recommendation - On June 11, 2002, the Uptown Planners voted 9-5-0 to recommend denial of the request (Attachment 10).

Other Recommendations -

Centre City Advisory Committee Recommendation - On June 5, 2002, the Centre City Advisory Committee voted 16-6-0 to support the project subject to conditions (Attachment 20).

The Housing Action Network Recommendation - On October 1, 2002, the

Housing Action Network voted to support the project subject to conditions (Attachment 20).

Downtown San Diego Partnership Recommendation - On September 24, 2002. The Downtown San Diego Partnership voted 16-8 to support the project subject to conditions (Attachment 20).

---

Little Italy Association - On May 18, 2001, the Little Italy Association voted 17-0 not to support the project (Attachment 20).

East Village Association - The East Village Association voted to support the project (Attachment 20).

Environmental Impact - Certifying that the information contained in LDR File No. 41-0900 has been completed in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, and that the said Mitigated Negative Declaration reflects the independent judgement of the City of San Diego as Lead Agency. Stating for the record that the final Mitigated Negative Declaration has been reviewed and considered prior to approving the project. Adopting the Mitigation, Monitoring and Reporting Program.

Fiscal Impact - None with this action.

Code Enforcement Impact - None with this action.

Housing Impact Statement - The project site is designated for office and medium density residential development at 15 to 29 dwelling units per acre. The project as proposed, would rehabilitate an existing 6-story hospital building for Transitional Housing and Residential Care Facilities. These facilities could accommodate up to 416 persons and would also include an emergency shelter for 60 women and children.

Traffic Impact Statement - The project impact on the surrounding streets is minimal, and no street improvements would be required for this projects.

Water Quality Impact Statement: The project as proposed, would rehabilitate an existing 6-story hospital building for Transitional Housing and Residential Care Facilities. Storm water pollution impacts from the site are not anticipated to worsen under the proposed use. There is no increase in impervious surface area from any proposed construction, nor are there new proposed activities that would generate pollutants from the site.

## BACKGROUND

The San Diego Rescue Mission currently operates its men's program and women and children's program in separate facilities in the East Village area. The proposal is to relocate the existing programs into one facility.

The project site lies within the NP-3 (Neighborhood Professional) Zone of the Mid-City Communities Planned District Ordinance (Attachment 2), the Airport Approach Overlay Zone and the Airport Environs Overlay Zone, and is located within the Uptown Community Planning area (Attachment 1). The site is located at 120 Elm Street, between First and Second Avenues and the adjacent parking structure is located at 1840 First Avenue, between Elm and Fir Streets.

The site is improved with a six-story hospital building and two three-story parking structures in accordance with existing CUP No. 100-PC approved in 1969 permitted construction and operation of a 177-bed general hospital, parking and incidental accessory uses. From 1969 to 1971, the CUP was amended three times to provide extensions of time. On August 8, 1977, the CUP was amended to allow recreational uses for patients on the top level of the parking garage on Second Avenue, between Elm and Fir Streets. On June 6, 1991, the CUP was amended to reduce the maximum number of permitted beds from 177 to 133, re-stripe the parking garages and remove the surface parking lot located on the block bounded by Third and Fourth Avenues and Fir and Grape Streets from the CUP.

After the hospital closed in 1997, the building was leased to Metricom, a telecommunications company, which installed a telecommunication facility, pursuant to Permit No. 99-1335-01, approved on December 20, 1999. The telecommunication facility has since been dismantled by the company and all equipment located on the first floor was removed. From December 1999 through March 2000, the building was used as the City's winter shelter. The San Diego Rescue Mission purchased the property in 2001.

#### PROJECT DESCRIPTION

The applicant's proposal is to amend the existing CUP to convert the existing six-story hospital building into: a 416-bed Transitional Housing and year-long Residential Care Facility; Homeless facilities that include a Congregate Meal Facilities for up to 250 persons daily; an Emergency Shelter to accommodate 60 women and children nightly; incidental uses such as offices, reception, kitchen, training rooms, recreation areas, and a three story 77-space parking structure and a three-story 122-space parking structure.

#### PROJECT ANALYSIS

## Community Plan

The Uptown Community Plan designates the subject site for office and medium density residential development at 15 to 29 dwelling units per acre. This designation is applied to areas adjacent to commercial uses and major streets. Surrounding development consists primarily of commercial and office uses. The project site is also located along First Avenue which is classified as a major street in the Plan.

Recommendations embodied in the Plan encourage higher density uses south of Fir Street to create a transition area between Centre City and Uptown. The Plan further recommends development of adequate housing for those with special needs, including low income, handicapped and homeless persons. The adaptive re-use of the existing six-story structure for Transitional Housing and Residential Care Facilities for the homeless implements the goals and objectives found in the Uptown Community Plan. Further, the proposed project implements recommendations found in the Progress Guide and General Plan by providing decent, safe and sanitary shelter for homeless people and emergency shelter services for women and children.

## CUP Amendment

The existing CUP has no expiration date and is terminated only if rescinded by the Planning Commission at the request of the property owner, revoked by the City for non-compliance with the Permit or otherwise amended. An amendment to the existing CUP is required for this project. CUP amendments are governed by Land Development Code (LDC) Section 126.0113 and are acted upon in accordance with the same process as would a new application.

## Zoning and Land Use Issues

A CUP is required for Transitional Housing, Residential Care Facilities, Congregate Meal Facilities and Emergency Shelters. This application has been consolidated for processing pursuant to LDC 112.0103 and is a Process Five (City Council) decision, the highest level of authority.

The NP-3 zone permits a mix of office, professional and residential uses. There are no specific references to Conditional Use Permits in the Mid-City Communities Planned District Ordinance (PDO). However, the General Provisions for Planned Districts LDC 103.0105(e)(7), (15) and (18)) permit Transitional Housing, Residential Care Facilities and Homeless Facilities with a CUP in any zone that permits residential use, subject to the Separately Regulated Uses regulations where incorporated by reference in the PDO.

Transitional Housing and Residential Care Facilities are Residential Separately Regulated Uses. The project complies with the Separately Regulated Use regulations for Transitional Housing [LDC 141.0313(a) through (i)] with respect to square footage for sleeping, living and storage space for each resident, bathroom facilities and parking. The project complies with the Separately Regulated Use regulations for Residential Care Facilities [LDC 141.0312 (a) through (j)] with respect to square footage for sleeping, living and storage space for each resident, distance between similar facilities, bathroom facilities and parking.

Homeless Facilities, including Congregate Meal Facilities and Emergency Shelters are Institutional Separately Regulated Uses. The project complies with the Separately Regulated Use regulations for Congregate Meal Facilities (LDC 141.0412(b) (1) through (10)) and Emergency Shelters (LDC 141.0412(c)(1) through (9)), including required distance between similar facilities, square footage requirements, hours of operation and parking. In addition, the regulations require a specific plan for communicating with the neighbors and resolving community and neighborhood issues and a plan to minimize littering and loitering in the area. The applicant has submitted and agreed to those plans which are conditions of permit approval.

The Congregate Meal Facilities will accommodate up to 250 daily guests from 6:00 A.M. to 7:00 A.M., and is located on the second floor dining room within the facility. The guest may come as early as 5:00 A.M. and are promptly ushered inside the Plaza area off Second Avenue, which is off the street and out of public view. The guests will also be able to use the sanitary facilities located off the dining room. The guests will not be given any items (food or linens) to take with them after meal has been served. The community breakfast will be the only meal open to the public. Currently, 1 of 10 breakfast guests is female. The same proportion are family members. Approximately 7% of all guests are elderly, and approximately 1 in 7 are disabled.

The site lies within the boundaries of the Airport Approach Overlay Zone (AAOZ) which provides that no structures may encroach within 50 feet of the established approach path to Lindbergh Field. The AAOZ requires the FAA to make a Determination of No Hazard and concurrence of that Determination by the Port District. Because this is an existing building and no exterior modifications are proposed, neither the FAA or the Port District require legal notice of the proposed project. However, the applicant has notified the FAA which is currently processing its Determination of No Hazard Letter indicating that the project poses no hazard to air navigation.

The site also lies within the boundaries of the Airport Environs Overlay Zone (AEOZ) which provides that the project must comply with the land use and noise requirements of the Comprehensive Land Use Plan for Lindbergh Field (CLUP). The CLUP limits the density of infill development to no more than 110% of the average density within one-quarter mile of the project site. Upon adoption of the CLUP, the San Diego Association of Governments (SANDAG) developed the formula/methodology for this density/intensity analysis. The measurement is occupancy based. The formula uses land use data which details the use and square footage or number of units on each parcel of land within the quarter mile radius multiplied by the occupancy load factors from the California Building Code. This measures the total permitted occupancy of a building not what the actual occupancy of a building may be.

To assess the potential intensification of human occupancy for public safety concerns, an intensification of human occupancy study was prepared by the applicant based upon criteria established by the SANDAG (Attachment 13). The findings of that study indicate that the project proposes an intensity of 67% of the average intensity of existing uses where a maximum of 110% is permitted. The City staff has reviewed and concurs with the CLUP study conclusions. Therefore, the proposed project is consistent with the CLUP.

To assess the potential noise impacts of the project, an acoustical analysis was prepared. The

findings of the analysis indicate that current and future ambient noise levels exceed the Building Code interior sound level limit of 45 decibels. As part of the Mitigation, Monitoring and Reporting Program (MMRP), the project includes implementation of sound attenuation measures described in that report prepared by Dr. Penzes & Associates dated October 5, 2001 as a condition of project approval.

### Public Health and Safety Issues

The permit contains specific conditions to address potential public health and safety impacts. Those conditions include a Litter and Loiter Control Plan (Attachment 14), which makes the applicant responsible for keeping the site and a one-block area surrounding the site free of graffiti, litter, trash and other nuisances. The applicant will establish and enforce policies to discourage littering and loitering in and around the property. All persons waiting for services will be required to wait indoors or in outdoor waiting areas screened from public view. There will be no lines outside the facility. Lighting will be provided to illuminate all entrances and passage ways to provide surveillance opportunities of the neighborhood by the public, employees, residents and visitors.

The applicant, at its own expense, will contract with the Downtown Partnership's Clean and Safe program to perform regular security patrol for the area surrounding the site. The applicant has also signed an agency letter with the San Diego Police Department granting permission to enter the property as necessary to enforce laws. In addition, the applicant has contracted with San Diego Alarm Company to provide a security system for the interior of the building to prevent commingling of the different program populations. Interior and exterior surveillance cameras will be installed to provide 24-hour security monitoring.

### Community Response

The project has generated 1,633 form letters from San Diego City supporters (Attachment 15), and 1,564 form letters from San Diego County supporters (Attachment 16). The opposition consists of letters and a petition by the Little Italy Association for a total of 715 opponents (Attachment 17).

The focus of the community concern is on the outreach programs of the San Diego Rescue Mission, which consists of the Community Breakfast Program and Shower Program. However, the permit contains specific conditions to address potential community impacts.

To ensure compliance with the permit conditions, the applicant has agreed to the formation of a Neighborhood Advisory Committee (Committee) (Attachment 18). The City staff has reviewed and concur with the provisions of the Committee, and has been included as a condition of the permit. The Committee will be composed of representatives from the neighborhood and various community groups and the San Diego Rescue Mission. It will meet regularly to assess the impacts of the use, recommend solutions to enhance collaboration, and provide a vehicle for accountability of the San Diego Rescue Mission.

### CONCLUSION

The proposed project would rehabilitate an existing 6-story hospital building for Transitional Housing and Residential Care Facilities. These facilities could accommodate up to 416 persons and would also include an Emergency Shelter for 60 women and children. The Uptown Community Plan recommends development of adequate housing for those with special needs, including low income, handicapped and homeless persons. The adaptive re-use of the existing six-story structure implements the goals and objectives found in the Uptown Community Plan, and provides for a higher density use, as encouraged within the Plan, to create a transition area between Centre City and Uptown.

The proposed project implements recommendations found in the Progress Guide and General Plan by providing decent, safe and sanitary shelter for homeless people and emergency shelter services for women and children. The proposal includes a Congregate Meal Facility, which can accommodate up to 250 daily guests. The proposed Transitional Housing and Residential Care Facilities, and Homeless Facilities are permitted within the zone with a CUP. The project complies with the development regulations within the LDC, therefore, City staff recommends approval of the project.

Respectfully submitted,

---

Tina P. Christiansen, A.I.A.  
Development Services Director

Approved: P. Lamont Ewell  
Assistant City Manager

MEE/JAP

- Attachments:
1. Community Plan Land Use Map
  2. Project Location Map
  3. Project Data Sheet
  4. Project Site Plan
  5. Landscape Plan
  6. Floor Plans
  7. Roof Plan
  8. Building Elevations
  9. Other Building Plans
  10. Uptown Planners Recommendation
  11. CUP 100-PC
  12. CUP 90-1053
  13. CLUP Study
  14. Litter and Loiter Control Plan
  15. List of the San Diego Rescue Mission form letter- City Supporters \*
  16. List of the San Diego Rescue Mission form letter- County Supporters\*
  17. List of Opposition - Letters and Petition\*
  18. Neighborhood Advisory Committee Provisions
  19. Traffic Impact Statement
  20. Other Recommendations

21. Draft Permit and Conditions
22. Draft Findings of Approval
23. Ownership Disclosure Statement

\* Provided for City Council

Note: The attachments are not available in electronic format. A copy is available for review in the Office of the City Clerk.