

RA 10/27/09

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04456

DATE OF FINAL PASSAGE NOV 12 2009

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO ADOPTING A REVISED REPLACEMENT HOUSING PLAN, WHICH PROVIDES FOR THE REPLACEMENT OF UNITS PREVIOUSLY DEMOLISHED ON THE CENTREPOINT SITE IN THE CROSSROADS REDEVELOPMENT PROJECT AREA.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Crossroads Redevelopment Project Area [Project Area], adopted by the City Council of the City of San Diego pursuant to Ordinance No. O-19174 on May 6, 2003; and

WHEREAS, California Health and Safety Code section 33413(a) requires that, whenever dwelling units occupied by persons of low or moderate-income are destroyed or removed from the low and moderate-income housing market on or after January 1, 2002, as part of a redevelopment project that is subject to a written agreement with an agency carrying out redevelopment, that agency shall, within four years after the destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of the same or lower income, an equal number of replacement dwelling units that have an equal or greater number of bedrooms as those destroyed or removed dwelling units at affordable housing costs within the territorial jurisdiction of the agency; and

WHEREAS, California Health and Safety Code section 33413.5 requires that, not less than thirty days prior to the execution of a disposition and development agreement which would

lead to the destruction or removal of dwelling units from the low and moderate-income housing market, an agency carrying out redevelopment shall adopt by resolution a replacement housing plan for which, during a reasonable time before adoption, a draft was made available for review and comment by the project area committee, other public agencies and the general public; and

WHEREAS, pursuant to Resolution No. R-03979 adopted effective November 29, 2005, the Agency approved the Replacement Housing Plan [Original Plan] with respect to the proposed CentrePoint mixed-use project [Project] located on approximately 8.93 acres within the Project Area; and

WHEREAS, pursuant to Resolution No. R-04014 adopted effective April 11, 2006, the Agency approved and executed the Disposition and Development Agreement contemplating the construction of the Project by CentrePoint LLC [Developer], and such Disposition and Development Agreement subsequently has been amended through the First Implementation Agreement effective July 11, 2007, the Second Implementation Agreement effective April 23, 2008, and the Third Implementation Agreement effective December 2, 2008 [collectively, the DDA]; and

WHEREAS, the Original Plan provided for the Agency's replacement of a total of nine rental dwelling units, comprising an aggregate total of seventeen bedroom units, that had been occupied by very low, low and moderate-income households and that would be demolished on the Project site to enable future construction of the Project; and

WHEREAS, more specifically, the Original Plan provided for (i) the replacement, outside the Project site, of seven dwelling units, comprising an aggregate total of thirteen bedroom units, that had been occupied by very low and low-income households prior to the demolition activity, and (ii) the replacement, on the Project site, of two dwelling units, comprising an aggregate total

of four bedroom units, that had been occupied by moderate-income households prior to the demolition activity; and

WHEREAS, in accordance with the DDA, the Developer caused the demolition of the nine rental dwelling units on the Project site, triggering the Agency's obligation under California Health and Safety Code section 33413(a) to replace those dwelling units on or before June 11, 2011 [Replacement Deadline], in accordance with the Original Plan; and

WHEREAS, consistent with the Original Plan, the Agency already has caused the replacement of seven dwelling units, comprising an aggregate total of thirteen bedroom units, in the Auburn Park residential project located within the City Heights Redevelopment Project Area; and

WHEREAS, economic difficulties have precluded the Developer from proceeding with construction of the Project, and the Agency and the Developer are proposing to terminate the DDA on mutually agreeable terms; and

WHEREAS, the mutual termination of the DDA means that there will be no agreement in place to replace the remaining two dwelling units, comprising an aggregate total of four bedroom units, on the Project site as envisioned by the Original Plan; and

WHEREAS, in accordance with California Health and Safety Code section 33413.5, the Agency has prepared a Revised Replacement Housing Plan [Revised Plan] that provides for the two remaining replacement dwelling units to be constructed and made available for occupancy by moderate-income households at the Village Green apartment project within the Project Area or, if such apartment project is not completed before the Replacement Deadline, at an alternative affordable housing project designated by the Agency in the future; and

WHEREAS, the Revised Plan was made available for a reasonable time for review and comment by the Project Area Committee serving the Project Area, as well as the general public and other public agencies; NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of the City of San Diego, as follows:

1. That the Agency hereby finds and determines that all recitals set forth in this resolution are true and correct and incorporated herein in full by this reference.
2. That the Agency has received and heard all oral and written objections to the Revised Plan, and that all such oral and written objections are overruled.
3. That the Agency hereby adopts the Revised Plan, a copy of which is on file in the office of the Agency Secretary as Document No. D- 04456

APPROVED: JAN I. GOLDSMITH, GENERAL COUNSEL

By Kevin Reisch
Kevin Reisch
Deputy General Counsel

KR:cw
10/13/09
Or.Dept:Redev. Division
RA-2010-24
MMS #7729

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of OCT 27 2009.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 11.12.09
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on OCT 27 2009, by the following vote:

Agency Members	Yeas	Nays	Not Present	Recused
Sherr Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl DeMaio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 12 2009.

AUTHENTICATED BY:

JERRY SANDERS
Executive Director of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
Secretary of The City of San Diego, California.

By *Janelle Sanders*, Deputy

Office of the Redevelopment Agency, San Diego, California
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