

RESOLUTION NUMBER 293155

ADOPTED ON MAY 16 2000

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SALE OF CERTAIN PROPERTY IN THE CITY HEIGHTS REDEVELOPMENT PROJECT AREA FOR THE DEVELOPMENT THE CITY HEIGHTS URBAN VILLAGE TOWN HOMES AND OFFICE CENTER PROJECT, A MIXED USE PROJECT; APPROVING THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH SAN DIEGO REVITALIZATION CORPORATION, PERTAINING THERETO; DIRECTING STAFF TO USE ITS BEST EFFORTS TO IMPLEMENT AND ACCOMMODATE THE PROJECT AREA COMMITTEE'S RECOMMENDED CONDITIONS FOR THE DEVELOPMENT AS CLARIFIED AND MODIFIED BY STAFF; AND MAKING CERTAIN FINDINGS WITH RESPECT TO SALE OF PROPERTY.

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 City Heights Redevelopment Project [Project]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency proposes to sell certain property in the Project area for the development of the City Heights Urban Village Town Homes and Office Center Project, a mixed use project [Development], pursuant to the terms and provisions of a certain Disposition and Development Agreement [Agreement] with San Diego Revitalization Corporation [Developer], which Agreement contains a description of the property and provides for the construction Development thereon; and

WHEREAS, the Developer has submitted to the Agency and the Council of The City of San Diego copies of the proposed Agreement in a form desired by the Developer; and

WHEREAS, the City Heights Project Area Committee [PAC] met on May 8, 2000, and the PAC Project Subcommittee moved to recommend to the Agency and the Council of The City of San Diego to accept the Agreement for the Development with certain conditions; and

WHEREAS, Agency staff has met with the Developer and has prepared a response to each of the PAC's recommended conditions; and

WHEREAS, the Developer is willing to work with the Agency, the City, and the community to implement and accommodate the PAC's recommended conditions as clarified and modified by Staff as set out in the attached Memorandum to the Honorable Mayor and City Council/Chair and Members of the Redevelopment Agency, dated May 10, 2000; and

WHEREAS, pursuant to the California Community Redevelopment Law [California Health and Safety Code section 33000 et seq.] the Agency and this Council held a joint public hearing on the proposed sale of real property pursuant to the Agreement; having duly published notice of such public hearing and made copies of the proposed Agreement and other reports and documents available for public inspection and comment; and

WHEREAS, the Council has duly considered all terms and conditions of the proposed sale of real property and believes that the development of the real property pursuant to the proposed Agreement is in the best interests of the City and the health, safety, morals and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law and requirements; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That the Council recognizes that it has received and heard all oral and written objections to the proposed Agreement, to the proposed sale of the real property pursuant to the proposed Agreement, and to other matters pertaining to this transaction, and that all such oral and written objections are overruled.

2. That the Council finds and determines that the consideration to be paid to the Agency for the sale of the real property as described in the Agreement is not less than fair reuse value at the use and with the covenants and conditions and development costs authorized by the sale.

3. That the Council finds and determines that the sale of the real property will assist in the elimination of blight within the Project area, and is consistent with the Implementation Plan for the Project area adopted pursuant to Section 33490 of the California Community Redevelopment Law.

4. That the sale of the real property, and the Agreement which establishes the terms and conditions for the sale and development of the real property, are approved. A copy of the Agreement, when executed by the Agency, shall be placed on file in the office of the City Clerk as Document No. RR- 293155.

5. That the Council directs the City staff to use their best efforts to implement and accommodate each of the PAC's recommended conditions as clarified and modified by Staff as set out in the attached Memorandum to the Honorable Mayor and City Council/Chair and Members of the Redevelopment Agency, dated May 10, 2000.

6. That the Council authorizes the City Clerk to deliver a copy of this Resolution to the Executive Director and members of the Agency.

APPROVED: CASEY GWINN, City Attorney



By *Elisa A. Casato for*
Douglas K. Humphreys
Deputy City Attorney

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**CITY OF SAN DIEGO
MEMORANDUM**

DATE: May 10, 2000

TO: Honorable Mayor and City Council/Chair and Members of the Redevelopment Agency

FROM:  Todd G. Hooks, Redevelopment Division Deputy Director via Hank 
Cunningham, Economic Development and Community Services Director

SUBJECT: May 16, 2000, Docket Item 602 - Recommendations from the City Heights Redevelopment Project Area Committee

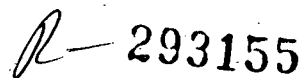
Item 602 of the joint City Council/Redevelopment Agency meeting of May 16, 2000, is the proposed Disposition and Development Agreement (DDA) for the City Heights Urban Village Town Homes and Office Project. On May 8, 2000, the City Heights Redevelopment Project Area Committee (PAC) voted to recommend approval of the DDA with a list of conditions. Those conditions are defined in the attached May 9, 2000, memo from Al Stasukevich, Chair of the City Heights PAC. The developers of the proposed project, Transwest Housing, Inc. and Price Charities, have agreed to make their best efforts to comply with these conditions if the DDA is approved.

After discussion with the developers and City Attorney's Office, it is staff's recommendation that the Council/Agency pass a resolution to direct the Agency Executive Director to make the best efforts to implement and accommodate the PAC's recommended conditions as clarified and modified below:

The PAC's recommended conditions are listed on the attachment in a first group numbered one to seven and a second group of one to ten. Staff's recommendation for each item is as follows:

First Group

1. Modify this statement to say: "For the purpose of providing replacement housing for current housing units to be removed by the project and for consideration of the Agency's contribution of tax increment housing set-aside funds for this project, maintain for 45 years 34 quality housing units affordable to very low income households as defined by the U.S. Department of Housing and Urban Development, and for the purpose of obtaining California Affordable Housing Tax Allocation Credits and for providing a pool of potential replacement housing for future redevelopment projects in the City of San Diego, maintain for 45 years 58 additional quality housing units affordable to low income households."

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2. For better clarity, modify this statement to say: "Provide for a minimum of 14 foot wide frontage sidewalk from building face at street level to curb on University Avenue to promote pedestrian friendly uses and streetscape." It should be noted that the street level building face is currently proposed to be set back a minimum of 16 feet from the curb on University Avenue. However, the currently proposed design includes intermittent structural pillars along the University Avenue frontage which are set back a minimum of eight feet from the face of the curb. The PAC recognized and supported this design concept.
3. Modify this statement to say: "Make best efforts to provide space for on-site childcare services to serve tenants of the project." It is not known at this time if the project buildings, as proposed, would meet the code requirements for the provision of a licensed on-site child care facility. Staff and the developer, working in coordination with the PAC and its design subcommittee, will investigate this issue and make best efforts to pursue creative solutions for providing child care services for on-site tenants.
4. No change.
5. No change.
6. No change.
7. No change. However, it is not anticipated that the developer would be expected to fund such a program. The developer could coordinate with the Agency, Housing Commission and other housing assistance agencies to make all appropriate referrals to encourage residents displaced from the project site to use relocation assistance benefits and other available resources to acquire homes within the City Heights Redevelopment Project Area.

Second Group

1. Since it is not now known if monthly meetings will be the most appropriate schedule for the proposed design review, modify this statement to read: "That the Developer and builder allow for continued community review through meetings with the Joint PAC/City Heights Area Planning Committee (CHAPC) Design Committee on a monthly or as needed basis until project completion.
2. Add to this statement: "This design modification will be determined through deliberations including the developer, City/Agency staff, and the Joint PAC/CHAPC Design Committee. If these parties mutually agree on a design solution the project may proceed without further Agency Board consideration of the project conceptual design. However, if the parties are unable to mutually agree on a design solution, the design concept shall be returned to the Agency for consideration."
3. No change.

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4. No change.
5. Since the developer may not be the appropriate party to be involved in this item after the project is installed, modify this statement to say: "That the owners and/or operators of the office building and the housing complex join the City Heights Business Improvement Association (BIA) as provided for in the bylaws of the BIA."
6. Modify this statement to say: " That the Developer/housing project manager make all best efforts to form a tenant's association to oversee the proper management and tenant screening and also include a member or members of the surrounding community."
7. No change.
8. Add to this statement: "per Federal, State and local codes and regulations."
9. Modify this statement to say: "In that the Developer will vacate an existing alley, make all best efforts to provide a means of trash collection that will not be a source of trash, litter or debris on Fairmount Avenue and 43rd Street."
10. No change.

If this list is approved by the Council/Agency, appropriate staff will be assigned to work with the project's interested parties to monitor and assist in the implementation of the items.



Todd G. Hooks
Deputy Director

jjl

Attachment: Memo and recommendations from the City Heights PAC

cc: Members of the City Heights PAC
Executive Director Michael Uberuaga
Assistant Executive Director George Loveland
James Cahill, Price Charities
Barry McComic, Transwest Housing, Inc.

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City Heights Redevelopment Project Area Committee

May 9, 2000

The Honorable Mayor Golding
and City Council

Attached is the motion to accept the conceptual proposal currently known as the City Heights Urban Village Housing and Office/Retail Building by TransWest Housing, Inc. and San Diego Revitalization, Inc. considered by the PAC at its monthly meeting May 8, 2000. The motion passed with a 12-1-1 vote.

Items of particular concern and much discussion were:


- The design of the six-story glass facade on the northeast frontage on University Avenue that the developer has agreed to work on with our newly formed Joint PAC/CHAPC Design Committee.
- Trash collection in this large mixed-use project was not planned and must be considered. Particularly when the existing means is via the north south alley which will be vacated. The trash generated by 116 families, numerous retail businesses and offices will be significant.
- The set back from the curb on University Avenue must allow a pedestrian friendly thoroughfare and proper landscaping.
- And finally that the city's plan review process includes serious consideration of the Mid-City Community Plan.

After months of review and discussion the PAC is pleased to forward this recommendation for your consideration.

Sincerely,



C.A. "AL" Stasukevich
Chair
(619) 563-0671

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This motion is made in response to the conceptual presentations made by the Developer, our understanding of the project and the responses to our concerns by the developer.

The Project Sub-committee moves that the PAC forward a recommendation to accept the conceptual proposal currently known as the City Heights Urban Village Housing and Office/Retail Building by TransWest, Inc. and San Diego Revitalization, Inc. to the Redevelopment Agency with the following conditions:

- Adopted from the City Heights Community Development Corporation letter of support (attached). "That TransWest Housing Inc. and San Diego Revitalization, Inc. incorporate the following elements:
 1. Maintains 80% quality housing affordable to households designated low income by US Department of Housing and Urban Development;
 2. Provides for minimum 14 foot wide frontage sidewalk from building front to curb on University Avenue to promote pedestrian friendly uses and streetscape;
 3. Provides provisions for on-site childcare to serve tenants;
 4. A best effort commitment that 55% of the construction subcontractors meet MWE standards;
 5. Support for priority opportunity for City Heights community-based recruitment, training and hiring initiatives for the construction and operation of the project;
 6. Support the use of a listing of local businesses as a priority for goods and services in the construction and operation of the project;
 7. Support programs similar to the former MCDC "Home in the Heights" program that will assist residents to use relocation funding to purchase a residence in a City Heights neighborhood."
- The Projects Sub-committee adds the following elements:
 1. That the Developer and Builder allow for continued community review through monthly meetings with the Joint PAC/CHAPC Design Committee on a monthly basis until project completion;
 2. That the expansive glass facade on the northeast frontage of the Office/Retail building on Fairmount Avenue be broken up with architectural elements such as vertical or horizontal off-setting planes, terraces, planters or other means;

3. That the Developer provide a minimum 8 foot setback from curb to building curtain above the first floor;
4. That the Developer make every effort to provide "off-street loading zones" consistent with current zoning regulations to insure the least possible traffic disruption on both Fairmount Avenue and 43rd Street;
5. That the Developer and future housing management group join the City Heights Business Improvement Association;
6. That the Developer/housing project manager form a tenant's association to oversee the proper management and tenant screening and also include members of the surrounding community;
7. That the Developer hold a "Job Fair" for local residents to promote local hiring in the project;
8. That the Developer provide adequate handicapped access to all elements of the project;
9. In that the Developer will vacate an existing alley, provide a means of trash collection that will not be a source of trash litter and debris on Fairmount Avenue and 43rd Street;
10. That the Redevelopment Agency strive to insure that the project conforms as closely as possible to the Mid-City Community Plan.