



**REQUEST FOR CONTINUANCE**

The Council will now consider requests to continue specific items.

**=== LEGISLATIVE SCHEDULE ===**

Noticed Hearings

- ITEM-330: Three actions related to the Torrey Highlands Maintenance Assessment District. Torrey Highlands Community Area. (Dist. 1)  
CITY MANAGER'S RECOMMENDATION: Adopt the resolutions.
- ITEM-331: Three actions related to the Black Mountain Ranch South Maintenance Assessment District. Black Mountain Ranch Community Plan Area. (Dist. 1)  
CITY MANAGER'S RECOMMENDATION: Adopt the resolutions.
- ITEM-332: Two actions related to Carmel Valley Public Facilities Financing Plan and Facilities Benefit Assessment, FY 2004. Carmel Valley Community Area. (Dist. 1)  
LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:  
On 1/21/2004, LU&H voted 4-0 to approve the City Manager's recommendation.
- ITEM-333: Two actions related to Proposed Rezonings to Remove Areas within the City of San Diego from the Transit Area and Residential Tandem Parking Overlay Zones.  
Matter of approving, conditionally approving, modifying or denying proposed rezonings to remove areas within the City of San Diego from the Transit Area and Residential Tandem Parking Overlay Zones.  
LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:  
On 6/04/2003, LU&H voted 4 to 0 to direct the City Manager to move expeditiously to bring the issue of rescinding or amending the Transit Area Overlay Zone and Residential Tandem Parking Overlay boundaries to City Council, as previously approved by the Land Use and Housing Committee on September 4, 2002.

=== **LEGISLATIVE SCHEDULE (Continued)** ===

Noticed Hearings (Continued)

ITEM-334: Mission Village. Serra Mesa Community Plan Area. (Dist. 6)  
Matter of the appeal by the Serra Mesa Planning Group from the decision of the Planning Commission in approving with conditions an application for a Tentative Parcel Map and Planned Commercial Development Permit for the development of a 160-unit apartment complex with 15,000 square-feet of retail in two phases and an amendment to Conditional Use Permit No. 87-0297 to add an expiration date to the operation of the gas station. The Mission Village site is 9.1 acres located at the northwest corner of Gramercy Drive and Ruffin Road within the Serra Mesa Community Planning Area.  
CITY MANAGER'S RECOMMENDATION: Adopt the resolution in subitem A; adopt the resolution in subitem B to deny the appeal and to uphold the decision of the Planning Commission and to grant the permit; and adopt the resolution in subitem C to grant the map.

ITEM-335: Four actions related to Disposition and Development Agreement with GRH, LLC for the Renaissance Hotel. Centre City Redevelopment Project Area. (Dist. 2)  
CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION: Adopt the resolutions.

Adoption Agenda, Discussion, Other Legislative Items

ITEM-336: The Midway Tree Planting Project – North Bay Redevelopment Project Area. Midway Pacific Highway and North Bay Redevelopment Community Areas. (Dist. 2)  
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

=== LEGISLATIVE SCHEDULE (Continued) ===

Adoption Agenda, Discussion, Other Legislative Items (Continued)

ITEM-337: Construction of Old Town Transit Center Queue Jump Project to Provide Infrastructure for Bus Rapid Transit (BRT) in the North Bay Redevelopment Project Area. Old Town Community Planning Area. (Dist. 2)

CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

ITEM-338: Two actions related to Designation of the Grantville Redevelopment Survey Area. Navajo Community Area. (Dist. 7)

CITY MANAGER'S RECOMMENDATION: Adopt the resolutions.

ITEM-339: Repayment to the City of San Diego – Homeless Outreach Team Funding. Centre City and Horton Plaza Redevelopment Projects. (Dist. 2)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION: Adopt the resolution.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

**=== EXPANDED CITY COUNCIL AGENDA ===**

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-330: Three actions related to the Torrey Highlands Maintenance Assessment District.

(Torrey Highlands Community Area. District-1).

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2004-792)

Considering the protests, approving assessment engineer's report, confirming the assessments, and ordering the proposed maintenance, in the matter of the Torrey Highlands Maintenance Assessment District.

Subitem-B: (R-2004-793)

Approving Fiscal Year 2005 Budget for the Torrey Highlands Maintenance Assessment District.

Subitem-C: (R-2004-794)

Authorizing the City Auditor and Comptroller to establish the Torrey Highlands Maintenance Assessment District Fund.

**CITY MANAGER SUPPORTING INFORMATION:**

This action establishes Torrey Highlands Maintenance Assessment District (District) and authorizes the Fiscal Year 2005 assessment. The District, also referred to as "Subarea 4" of the North City Future Urbanizing Area, encompasses roughly 1,520 acres, and is generally located north of Los Penasquitos Reserve and east of Rancho Penasquitos.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-330: (Continued)

**CITY MANAGER SUPPORTING INFORMATION: (Continued)**

The purpose of the District is to fund maintenance of specified landscaped and hardscaped medians, landscaped rights-of-way, adjacent slopes, sidewalks, gutters, and brow ditches within the District.

**TORREY HIGHLANDS MAINTENANCE ASSESSMENT DISTRICT  
Estimated Expenses, Revenues & Reserves**

<b>EXPENSES</b>	<b>FY 2005 (1)</b>	<b>Maximum Authorized (2)</b>
Personnel	\$0	\$67,803
Contract	\$0	\$389,301
Incidentals (3)	\$80,000	\$92,546
Energy and Utilities	\$0	\$56,741
<b>TOTAL EXPENSES</b>	<b>\$80,000</b>	<b>\$615,391</b>
<b>REVENUES</b>		
Assessments—Zone 1	\$35,327	\$165,865
Assessments---Zone 2	\$84,685	\$397,745
Assessments—Zone 3	\$0	\$101,870
City Contributions—Gas Tax	\$0	\$24,154
<b>TOTAL REVENUES</b>	<b>\$120,012</b>	<b>\$689,634</b>
<b>RESERVES</b>	<b>\$40,012</b>	<b>\$74,243</b>

- (1) FY 2005 is the City's Fiscal Year 2005, which begins July 1, 2004 and ends June 20, 2005.
- (2) Maximum authorized annual assessment subject to cost-indexing provisions contained in Assessment Engineer's Report.
- (3) Include cost of formation, assessment enrollment, oversight, and development of reserve fund.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-330: (Continued)

**CITY MANAGER SUPPORTING INFORMATION: (Continued)**

Proposed annual assessments have been calculated by an independent assessment engineer for the parcels within Torrey Highlands MAD based on each parcels equivalent benefit unit (EBU). For benefit apportionment purposes, Torrey Highlands MAD has been divided into three zones. The zone locations and unit assessment rates are as follows:

- Zone 1 – Consists of all parcels in the District, except those in Zones 2 & 3;  
FY 2005 (proposed): \$24.91 per EBU; Maximum (proposed): \$116.98 per EBU
- Zone 2 – Consists of those parcels that receive access via Torrey Meadows Drive and Torrey Santa Fe Road;  
FY 2005 (proposed): \$43.33 per EBU; Maximum (proposed) \$203.52 per EBU
- Zone 3 – Camino Del Sur to the South, portions of Rhodes Crossing development and other non-residential land uses;  
FY 2005 (proposed): \$0.00; Maximum (proposed): \$116.98 per EBU.

**FISCAL IMPACT:**

Approximately \$120,012 will be assessed and collected in Torrey Highlands Maintenance Assessment District in FY 2005. Total General Fund assessment for parkland in FY 2005 is \$86.10.

Herring/Oppenheim/AWF

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-331: Three actions related to the Black Mountain Ranch South Maintenance Assessment District.

(Black Mountain Ranch Community Plan Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2004-785)

Considering the protests, approving engineer's report, confirming the assessments, and ordering the proposed maintenance, in the matter of the Black Mountain Ranch South Maintenance Assessment District.

Subitem-B: (R-2004-786)

Approving Fiscal Year 2005 Budget for the Black Mountain Ranch South Maintenance Assessment District.

Subitem-C: (R-2004-787)

Resolution authorizing to establish the Black Mountain Ranch South Maintenance Assessment District Fund.

**CITY MANAGER SUPPORTING INFORMATION:**

This action establishes Black Mountain Ranch-South Maintenance Assessment District (District) and authorizes the Fiscal Year 2005 assessment. The District, also referred to as "Subarea 1" of the North City Future Urbanizing Area is located east of Fairbanks Ranch and north of the Torrey Highlands.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-331: (Continued)

**CITY MANAGER SUPPORTING INFORMATION: (Continued)**

The purpose of the District is to fund annual maintenance of specified landscaped and hardscaped medians, landscaped rights-of-way, adjacent slopes, sidewalks, gutters and brow ditches within the District.

**BLACK MOUNTAIN RANCH-SOUTH MAINTENANCE ASSESMENT DISTRICT  
Estimated Expenses, Revenues & Reserves**

<b>EXPENSES</b>	<b>FY 2005 (1)</b>	<b>MAXIMUM AUTHORIZED (2)</b>
Personnel	\$0	\$ 84,016
Contract	\$0	\$583,973
Incidentals (3)	\$79,995	\$114,430
Energy and Utilities	<u>\$0</u>	<u>\$ 87,047</u>
<b>TOTAL EXPENSES</b>	<b>\$79,995</b>	<b>\$869,467</b>
 <b>REVENUES</b>		
Assessments-Zone 1	\$119,995	\$879,470
City Contributions-EGF (4)	\$0	\$ 967
City Contributions-Gas Tax	<u>\$0</u>	<u>\$ 96,663</u>
<b>TOTAL REVENUES</b>	<b>\$119,995</b>	<b>\$977,100</b>
 <b>RESERVES</b>	 <b>\$40,000</b>	 <b>\$107,634</b>

- 1) FY 2005 is the City's Fiscal Year 2005, which begins July 1, 2004 and ends June 30, 2005.
- 2) Maximum authorized annual assessment subject to cost-indexing provisions contained in Assessment Engineer's Report.
- 3) Include cost of formation, assessment enrollment, oversight, and development of reserve fund.
- 4) Environmental Growth Fund.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-331: (Continued)

**CITY MANAGER SUPPORTING INFORMATION: (Continued)**

Proposed annual assessments have been calculated by an independent assessment engineer for the parcels within the Black Mountain Ranch MAD based on each parcel's equivalent benefit unit (EBU). The Black Mountain Ranch MAD will consist of 1,395 parcels and 2,040.73 EBUs. The assessments for this District are as follows: FY 05 (proposed): \$58.80 per EBU; Maximum (proposed): \$430.96 per EBU.

**FISCAL IMPACT:**

Approximately \$119,995 will be assessed and collected Black Mountain Ranch-South Maintenance Assessment District in FY 2005. Total General Fund assessment for City owned parcels in FY 2005 is \$4,841.80. Total assessment in FY 2005 for the Metropolitan Wastewater Department is \$744.70.

Herring/Oppenheim/AWF

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-332: Two actions related to Carmel Valley Public Facilities Financing Plan and Facilities Benefit Assessment, FY 2004.

(See City Manager Report CMR-04-018; Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2004 Draft. Carmel Valley Community Area. District-1.)

**TODAY'S ACTIONS ARE:**

Adopt the following resolutions:

Subitem-A: (R-2004-443 Cor. Copy)

Designating two areas of benefit in Carmel Valley and the boundaries thereof, confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to Public Facilities Projects, the method for apportioning the costs of the Public Facilities Projects among the parcels within the areas of benefit and the amount of the Facilities Benefit Assessments charged to each such parcel, the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments, and proceedings thereto, and ordering of proposed Public Facilities Project in the matter of Carmel Valley Facilities Benefit Assessment areas.

Subitem-B: (R-2004-444)

Approving the Development Impact Fee [DIF] schedule for properties within Carmel Valley.

**LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:**

On 1/21/2004, LU&H voted 4-0 to approve the City Manager's recommendation. (Councilmembers Peters, Zucchet, Lewis and Frye voted yea. Councilmember Inzunza not present.)

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-333: Two actions related to Proposed Rezoning to Remove Areas within the City of San Diego from the Transit Area and Residential Tandem Parking Overlay Zones.

Matter of approving, conditionally approving, modifying or denying proposed rezonings to remove areas within the City of San Diego from the Transit Area and Residential Tandem Parking Overlay Zones.

(See City Manager Report CMR-04-060. All Community Plan Areas. Districts-All.)

**TODAY'S ACTIONS ARE:**

Introduce the following ordinances:

Subitem-A: (O-2004-119 Cor. Copy)

Introduction of an Ordinance deleting property located in the City of San Diego from the residential tandem parking overlay zone as defined in Chapter 13, Article 2, Division 9, of the San Diego Municipal Code and the transit area overlay zone as defined in Chapter 13, Article 2, Division 10 of the San Diego Municipal Code, and repealing Ordinance No. O-18911 (New Series), adopted January 9, 2001, insofar as the same conflicts herewith.

Subitem-B: (O-2004-118 Cor. Copy)

Introduction of an Ordinance amending Chapter 13, Article 2, Division 9, by amending section 132.0902; and Chapter 13, Article 2, Division 10, by amending section 132.1002, pertaining to the residential tandem parking overlay zone and the transit area overlay zone, respectively.

**LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:**

On 6/04/2003, LU&H voted 4 to 0 to direct the City Manager to move expeditiously to bring the issue of rescinding or amending the Transit Area Overlay Zone and Residential Tandem Parking Overlay boundaries to City Council, as previously approved by the Land Use and Housing Committee on September 4, 2002. (Councilmembers Peters, Atkins, Lewis, Frye voted yea. Councilmember Zucchet not present.)

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-333: (Continued)

**OTHER RECOMMENDATIONS:**

Planning Commission on October 16, 2003 voted 7-0 to approve; was opposition.

Ayes: Lettieri, Brown, Chase, Garcia, Ontai, Schultz and Steele.

This is a matter of City-wide effect. The following community groups have taken a position on the item:

On January 22, 2002, and again on July 23, 2002, the Community Planners Committee voted recommended the rescission of the January 2001 amendments to the Transit Area Overlay Zone and the Residential Tandem Parking Overlay Zone.

Clairemont-Mesa Planning Committee  
Encanto Neighborhoods Community Planning Group

**CITY MANAGER SUPPORTING INFORMATION:**

In January 2001, the City Council approved amendments to the Transit Overlay Zone (TAOZ) and Residential Tandem Parking Overlay Zone (RTPOZ) as part of the Second Update to the Land Development Code. In January 2002, the Community Planners Committee (CPC) adopted a resolution addressing their belief that these overlay zones were illegally adopted and that inappropriate standards were used, and requested that the Land Use and Housing Committee (LU&H) take several actions related to these amendments.

On June 12, 2002, LU&H continued the item and asked staff to return on September 4, 2002, with further analysis on the consistency of the overlay zones with the community plans and where these overlay zones should be applied. LU&H also directed staff to take the issue back to CPC prior to their September 2002 meeting. On July 23, 2002, CPC heard the item and reiterated their previous concerns. They also requested that the overlay zone amendments be rescinded and that a new process be established to revise these zones. Staff returned to LU&H on September 4, 2002, with an information report detailing the application of the TAOZ/RTPOZ and its relation to the community plans and the draft Strategic Framework analysis and recommendations.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-333: (Continued)

**CITY MANAGER SUPPORTING INFORMATION: (Continued)**

On June 4, 2003, LU&H recommended that the amendment or repeal of the overlay zones be added to the Land Development Code Update Fiscal Year 2003 Work Program. Due to staff constraints during Fiscal Year 2003 this issue was carried over into this fiscal year's work program.

Most recently, the Planning Commission reviewed the proposed project, on October 16, 2003, and recommended that the City Council deny the request and direct staff to include review of these overlay zones as part of the Mobility Element. The Planning Commission also directed staff to bring this item to the Manager's Parking Task Force for their input and stipulated that during review of these issues under the Mobility Element, staff should consider transit locations, the relationship between transit and land use, keeping affected community groups involved and that regional implications and implementation be a consideration.

This proposal was presented to the Manager's Parking Task Force on November 17, 2003, as an information item.

**FISCAL IMPACT:**

Staff was directed to work on this item as part of the Land Development Code Implementation work program for Fiscal Year 2004 by the Land Use and Housing Committee as its meeting on July 23, 2004 (CMR No. 03-168). The staffing costs and fiscal impact to prepare the proposed regulations are part of the Land Development Code Implementation work program.

Ewell/Christiansen/SDD

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-334: Mission Village.

Matter of the appeal by the Serra Mesa Planning Group from the decision of the Planning Commission in approving with conditions an application for a Tentative Parcel Map and Planned Commercial Development Permit for the development of a 160-unit apartment complex with 15,000 square-feet of retail in two phases and an amendment to Conditional Use Permit No. 87-0297 to add an expiration date to the operation of the gas station. The Mission Village site is 9.1 acres located at the northwest corner of Gramercy Drive and Ruffin Road within the Serra Mesa Community Planning Area.

(See City Manager Report CMR-04-064. ND No. 6547/PCDP No. 57551/TPM No. 57552/CUP No. 57553 to Amend CUP No. 87-0297/PTS No. 6547. Serra Mesa Community Plan Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the resolution in subitem A; adopt the resolution in subitem B to deny the appeal and to uphold the decision of the Planning Commission and to grant the permit; and adopt the resolution in subitem C to grant the map:

Subitem-A: (R-2004- )

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration PTS No. 6547 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by this Council.

Subitem-B: (R-2004- )

Adoption of a Resolution granting or denying the appeal and granting or denying Conditional Use Permit No. 57553 amending CUP 87-0297/Planned Commercial Development Permit No. 57551, with appropriate findings to support Council action.

Subitem-C: (R-2004- )

Adoption of a Resolution granting or denying Tentative Parcel Map No. 57552, with appropriate findings to support Council action.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-334: (Continued)

**OTHER RECOMMENDATIONS:**

Planning Commission on January 15, 2004, voted 7 - 0 to approve with a condition; was opposition.

Ayes: Lettieri, Schultz, Brown, Chase, Garcia, Ontai, Steele

Planning Commission on January 29, 2004, voted 5-0 to approve revised minutes for January 15, 2004.

Ayes: Lettieri, Brown, Chase, Garcia, Ontai  
Not Present: Schultz, Steele

The Serra Mesa Community Planning Group on September 18, 2003, voted 9 - 1 - 0 to recommend denial of this project.

**CITY MANAGER SUPPORTING INFORMATION:**

Project Description

The proposed project is a refinement of the concept for Plan A. Since the May 2, 2002 public hearing, the project has been redesigned to provide 15,000 square feet of retail use where 11,900-square feet were previously proposed. With this redesign a deviation to the 50% ground floor commercial retail space requirement of the Planned Commercial Development (PCD) Ordinance is no longer necessary. The project now provides 51% of the ground floor as commercial. The redesigned project also proposes to reduce the number of multi-family units previously proposed from 184 to 160 and has eliminated all four-story buildings.

The proposed development consists of seven buildings to be constructed in two phases. Phase One would consist of the construction of 156 residential units which would be split amongst five buildings ranging in size between 9 units and 34 units. Of these five buildings, four would include only residential space while Building 1 would contain both residential and 8,000 square-feet of ground floor retail space fronting Ruffin Road. The five buildings would not exceed three-stories in height. Buildings 1 and 7 will be 32-feet; Building 2 will be 28-feet- 34-feet in height; Buildings 3, 4 and 5 will be 39-feet in height; and Building 6 will be 18-feet -34-feet in height. The existing office building is two-and-one-half stories above grade and is approximately 30-feet in height.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-334: (Continued)

**CITY MANAGER SUPPORTING INFORMATION: (Continued)**

Phase One also incorporates the construction of covered and non-covered surface parking, a pool area, courtyard, and a clubhouse consisting of a community gathering room, exercise room, conference room, leasing office and lobby.

The proposal for Phase Two consists of the redevelopment of the existing 4,954-square-foot gas station site into four, one-bedroom, residential units and 7,000 square feet of ground floor retail space in two buildings. The exterior elevation plan indicates the buildings would be constructed in an Arts and Crafts style.

**FISCAL IMPACT:**

All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Ewell/Christiansen/PXG

**LEGAL DESCRIPTION:**

The project site is located at 9160 Gramercy Drive, within the Serra Mesa Community Planning Area and is more particularly described as Lot No. 2, Parcel Map 8791.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-335: Four actions related to Disposition and Development Agreement with GRH, LLC for the Renaissance Hotel.

(See Centre City Development Corporation Report CCDC-04-14/CCDC-04-09. Centre City Redevelopment Project Area. District-2.)

**CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2004-973)

Approving Gaslamp Quarter Site Development/Special Permit 41-0546 for the Renaissance Hotel Project in the Gaslamp Quarter sub area of the Centre City Redevelopment Project.

Subitem-B: (R-2004-974)

Certifying that the Council has reviewed and considered information contained in the Master Environmental Impact Report ("MEIR") for the Centre City Redevelopment Project, the Subsequent Environmental Impact Report to the MEIR for the Proposed Ballpark and Ancillary Development Projects, and associated plan amendments, and the Supplement to the MEIR with respect to the Proposed Disposition and Development Agreement between the Redevelopment Agency of the City of San Diego and GRH, LLC; approving the Supplement to the MEIR; adopting a Mitigation, Monitoring and Reporting Program; adopting a Statement of Overriding Considerations and Findings pursuant thereto; and making certain findings and determinations regarding environmental impacts of the development pursuant thereto.

Subitem-C: (R-2004-975)

Approving a height exception of up to 125 feet for the development of a 334-room, full-service hotel on the northeast corner of Fifth Avenue and "J" Street within the Gaslamp Quarter Sub Area of the Centre City Redevelopment Project, subject to the conditions that the Development conform to the maximum floor area ratio, set back and other requirements in the San Diego Municipal Code, Section 103.0407(a)(2)(G) and Basic Concept/Schematic Drawings.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-335: (Continued)

Subitem-D: (R-2004-991)

Recognizing that the City Council has received and heard all oral and written objections to the proposed Disposition and Development 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 hereby overruled;

Declaring that the City Council finds and determines that the consideration to be paid by the Developer for the sale of the real property as described in the Agreement is not less than the fair market value at its highest and best use in accordance with the Redevelopment Plan for the Project and is not less than the fair reuse value at the use and with the covenants and conditions and development costs authorized by the sale;

Declaring that the City Council finds and determines that the sale of the real property will assist in the elimination of blight in the Centre City Redevelopment Project Area, and is consistent with the Implementation Plan for the Centre City Redevelopment Project adopted pursuant to Section 33490 of the California Community Redevelopment Law;

Approving the sale of the real property and the Agreement which establishes the terms and conditions for the sale and development of the real property.

**NOTE:** This is a Special Joint Public Hearing with the Redevelopment Agency. See the Redevelopment Agency Agenda of March 30, 2004 for a companion item.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-336: The Midway Tree Planting Project – North Bay Redevelopment Project Area.

(See Redevelopment Agency Report RA-04-04/CMR-04-20. Midway Pacific Highway and North Bay Redevelopment Community Areas. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2004-987)

Declaring that City Council finds and determines that the implementation of the Midway Tree Planting Project in the Midway Area, for which the Agency proposes to contribute funding, is of benefit to the North Bay Redevelopment Project; that no other reasonable means of financing the Project is available to the community; that the Project will assist in the elimination of one or more blighting conditions inside the Project area; and that the Project is consistent with the Second Five-Year Implementation Plan adopted, pursuant to California Health and Safety Code Section 33490.

**NOTE:** See the Redevelopment Agency Agenda of March 30, 2004 for a companion item.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-337: Construction of Old Town Transit Center Queue Jump Project to Provide Infrastructure for Bus Rapid Transit (BRT) in the North Bay Redevelopment Project Area.

(See City Manager Report RA-04-08/CMR-04-041. Old Town Community Planning Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2004-964)

Finding and determining that the construction of the Old Town Transit Center (OTTC) Queue Jump Project which the Agency proposes to pay a portion of is of benefit to the North Bay Redevelopment Project; finding and determining that no other reasonable means for financing the Project are available to the community; finding and determining that the Project will assist in eliminating one or more blighting conditions inside the Project Area; finding and determining that the Project is consistent with the Second Five-Year Implementation Plan adopted for the Project by the Agency on July 2003, pursuant to California Health and Safety Code Section 33490.

**NOTE:** See the Redevelopment Agency Agenda of March 30, 2004 for a companion item.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-338: Two actions related to Designation of the Grantville Redevelopment Survey Area.  
(See City Manager Report RA-04-06/CMR-04-038. Navajo Community Area.  
District-7.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2004-976)

Accepting the loans repayment to Fund 18502 Community Development Block Grant (CDBG) from the North Bay Redevelopment Project Area in the amount of \$125,000;

Authorizing the appropriation and transfer of \$125,000 from Fund 18502 (CDBG) as a loan to the Redevelopment Agency to provide funds to the Grantville Redevelopment Survey Area with the loan to be recorded as debt of the Agency to be repaid as soon as practicable from tax increment or other revenues.

Subitem-B: (R-2004-977)

Designating a redevelopment survey area for the proposed Grantville Redevelopment Project and authorizing a study of the feasibility of a redevelopment project or projects within the survey area.

**NOTE:** This is a Special Joint Public Hearing with the Redevelopment Agency. See the Redevelopment Agency Agenda of March 30, 2004 for a companion item.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-339: Repayment to the City of San Diego – Homeless Outreach Team Funding.

(See Centre City Development Corporation Report CCDC-04-11/CCDC-04-05.  
Centre City and Horton Plaza Redevelopment Projects. District-2.)

**CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:**

Adopt the following resolution:

(R-2004-897)

Accepting a repayment of previously allocated Community Development Block Grant Funds in the amount of \$25,000 from the Redevelopment Agency and programming the repayment to fund a Psychiatric Emergency Response Team (PERT) Clinician to serve as part of the Homeless Outreach Team (HOT) Fund No. 18539.

Aud. Cert. 2400891.

**NOTE:** See the Redevelopment Agency Agenda of March 30, 2004 for a companion Item.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT