



AGENDA REPORT

Department: Housing Authority
Prepared by: Angelita Palma, Housing Programs Manager
Meeting Date: Tuesday, September 5, 2023
Approved by: Ben Martinez, Interim City Manager

SUBJECT:

First Amendment to the Regulatory Agreement with Southern Highlands Apartments L.P. to have Use Restrictions Restated to Allow for Commercial Uses of the Non-Residential Portions of the Property. (Community Development Commission – Housing Authority)

RECOMMENDATION:

Adopt the Resolution Entitled “Resolution of the Community Development Commission-Housing Authority (CDC-HA) of the City of National City, California, Authorizing the Executive Director to Execute the First Amendment to the Regulatory Agreement with Southern Highlands Apartments L.P. to Amend Section 5 Allowing for Commercial Uses of the Non-Residential Portions of the Property, Located at 2525 Highland Avenue.”

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Background

Community Development Commission-Housing Authority of the City of National City (“CDC-HA”) and Southern Highlands Apartments LP (“Owner”) entered into a Regulatory Agreement dated July 13, 2022 and recorded on August 4, 2022 (Regulatory Agreement) for the property located at 2525 Highland Avenue in National City (“Property”). The Regulatory Agreement restricts the Property to only residential use, and such other related incidental uses, as approved by the CDC-HA. The Owner desires to utilize the on-premises kitchen for commercial use.

Amendment and restatement on non-residential portions of the Property

“Section 5 Use Restrictions” of the Regulatory Agreement will be amended and restated to permit commercial uses on the non-residential portions of the Property, subject to obtaining any required zoning or use permits from the City of National City.

All other terms and conditions of the Regulatory Agreement will remain unmodified.

FINANCIAL STATEMENT:

Not Applicable

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Housing and Community Development

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378;
PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A – First Amendment to Regulatory Agreement

Exhibit B – Executed Regulatory Agreement

Exhibit C – Resolution