



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: August 23, 2007 **REPORT NO.** PC-07-112

ATTENTION: Planning Commission, Agenda of August 30, 2007

SUBJECT: 13008 to 13094 SIGNATURE POINT TENTATIVE MAP
PROJECT NO. 120250
PROCESS 4.

REFERENCE: Carmel Valley Planned District (CVPD) Permit No. 98-0198

OWNER: Signature Point LLC and PRISA Acquisition, LLC. (Attachment 8)
APPLICANT: Anthony Dieli; Rick Engineering

SUMMARY

Issue(s) - Should the Planning Commission approve a Tentative Map to convert 261 existing residential units to condominiums on a 16.70 acre site at 13008 to 13094 Signature Point in the MF-3 zone of the Carmel Valley Planned District within the Carmel Valley Community Planning area?

Staff Recommendation - **APPROVE** Tentative Map No. 408655

Community Planning Group Recommendation – On April 10, 2007, the Carmel Valley Community Planning Board voted 6-0-1 to approve the project with conditions (Attachment 6).

Environmental Review - The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301(k) as “Existing Facilities.” An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on June 12, 2007. The scope of the subject hearing only includes the project and not the environmental determination.



Fiscal Impact - None with this action. All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - With the proposed conversion of 261 existing residential apartments units to condominiums, there would be a loss of 261 rentals units and a gain of 261 for-sale units. This Tentative Map request was deemed complete subsequent to June 14, 2007, and therefore is required to comply with all of the new condominium conversion regulations including the inclusionary affordable housing requirement to set aside at least 10 percent of the units for households earning 100 percent of the area median income or less.

BACKGROUND

This Tentative Map project is subject to the condominium conversion regulations effective June 13, 2006, based on the City Council's specific adoption language for the "new" condominium conversion regulations. At the June 13, 2006, hearing, the City Council adopted regulations for additional requirements for landscaping, a building conditions report, onsite inclusionary housing, noticing and parking. Based on the adopted language and project timing, all of these new regulations apply to this project. Accordingly, this project has been reviewed against the new regulations, and this project can proceed to its discretionary hearing.

The Carmel Valley Community Planning area designates this site for residential at 29 dwelling units per acre (Attachment 1). The 16.7 acre site is located at 13008 to 13094 Signature Point in the MF-3 zone in the Carmel Valley Planned District within the Carmel Valley Community Plan area. The surrounding land uses are multi-family residential and commercial development (Attachment 1).

The existing development was constructed in 2001 under a Carmel Valley Planned District Permit No. 98-0198. The site is presently improved with 44, two-story stucco buildings containing 261, two bedroom dwelling units. At the time the property was developed the construction met all current regulations for the MF-3 zone. There are no building or zoning code violations recorded against the property.

DISCUSSION

Project Description

The current application proposes a Tentative Map (Attachment 4) to convert the existing 261 residential units to condominiums.

Section 125.0410 of the San Diego Municipal Code (SDMC) requires a Tentative Map be processed for the subdivision of land. According to SDMC §125.0440 and §125.0444, Findings for Tentative Maps and for Condominium Conversions, the decisionmaker may approve a Tentative Map for the purposes of the conversion of residential property into a condominium project if the decisionmaker finds the proposed conversion complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and determined it complies with both the Subdivision Map Act and San Diego Municipal Code.

Community Planning Group Recommendation

On April 10, 2007 the Carmel Valley Community Planning Board voted to conditionally approve the project. The community group requested that a pedestrian link be created from the Signature Point development to the pedestrian bridge over Del Mar Heights Road. The applicant agreed to provide the recommended feature and it is reflected on the exhibit and conditioned in the resolution that it be completed prior to approval of the final map.

CONDOMINIUM CONVERSION REGULATIONS

The requested conversion of these residential units to condominiums represents primarily a change in ownership.

All condominium conversion projects deemed complete on or after February 7, 2004, must comply with regulations addressing inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. The proposed Tentative Map was deemed complete on January 26, 2007, and is subject to these and all subsequent regulations. The project has been conditioned to comply with all the "new" requirements.

Condominium Conversions of 20 or more units must set aside at least 10 percent of the proposed units for households with an income at or below 100 percent of area median income (AMI) and are not eligible to pay in-lieu fees. The proposed conversion of 261 units has been conditioned to comply with this requirement and enter into an agreement with the San Diego Housing Commission who will monitor compliance with the requirement.

Building Conditions Report and Landscape Requirements

In accordance with the current regulations, the applicant provided a Building Conditions report and Landscape Concept Plan. Both of these documents have been reviewed for conformance with the applicable regulations within Land Development Code (chapter 14, Article 4, Division 5) and have been accepted by staff as conforming with the regulations.

Noticing

The proposed project has been conditioned to conform with all new noticing requirements for condominium conversions.

The environmental exemption for this Tentative Map was appealed by Briggs Law Corporation. On June 12, 2007, at a public hearing, the City Council denied the appeal and upheld the environmental determination as being categorically exempt from the California Environmental

Quality Act (CEQA) pursuant to Article 19, Section 15301(k) as "Existing Facilities".

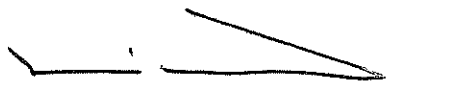
CONCLUSION

Staff has reviewed the request for a Tentative Map for the conversion of 261 residential units into condominiums and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps. Staff has provided draft findings to support approval of the Tentative Map (Attachment 5) and recommends the Planning Commission approve the project as proposed.

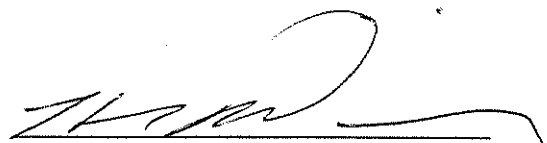
ALTERNATIVES

1. Approve Tentative Map No. 408655, with modifications.
2. Deny Tentative Map No. 408655, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Helene Deisher
Development Project Manager
Development Services Department

WESTLAKE/HRD

- Attachments:
1. Community Plan Land Use Map
 2. Aerial Photograph
 3. Project Location Map
 4. Tentative Map
 5. Draft Map Conditions and Subdivision Resolution
 6. Community Group Minutes
 7. Government Code 66452.3; self-certification statement
 8. Ownership Disclosure Statement
 9. Project Chronology
 10. Project Data Sheet
 11. Building Conditions Report (under separate cover)