



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: September 13, 2007 **REPORT NO.** PC-07-128

ATTENTION: Planning Commission, Agenda of September 20, 2007

SUBJECT: 1166 PARK BOULEVARD CONDOMINIUMS - PROJECT NO. 88064
PROCESS NUMBER 4

OWNER: Daniel L. Floit

APPLICANT: Cameron Scott, CMS Developer Services

SUMMARY

Issue(s): Should the Planning Commission approve Tentative Map No. 281241 to allow the conversion of 24 residential units into condominiums on a site located in the Centre City Community Planning Area?

Staff Recommendation: APPROVE Tentative Map No. 281241

Community Planning Group Recommendation: On February 15, 2006, the Centre City Advisory Committee voted to approve the project by a vote of 14 in favor, 6 opposed and 1 abstaining.

Environmental Review: This project is categorically exempt from the California Environmental Quality Act per Article 19, Section 15301(k), Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on December 22, 2005, and the opportunity to appeal that determination ended January 6, 2006.

Fiscal Impact Statement: None, the applicant is responsible for all processing costs for this project.

Code Enforcement Impact: There are no Code Enforcement violations recorded against this site. However, a unit was constructed within the basement and two studio units have been converted into a one-bedroom unit, all without building permits. As a condition of this approval, the building shall be restored to its original configuration prior to recordation of a Final Map.



Housing Impact Statement: With the proposed conversion of 24 existing rental units into condominiums, there would be a loss of 24 rental units and a gain of 24 for-sale units. This condominium conversion is subject to regulations regarding Inclusionary Housing and tenant relocation assistance.

BACKGROUND

The 0.115-acre project site is located at 1166 Park Boulevard (formally 12th Street), on the southwest corner of B Street and Park Boulevard (Attachment 1.) The project site is within the Residential Emphasis Zone and East Village District of the Centre City Community Plan (Attachment 2.)

The site is improved with a 4,118 square-foot; three-story building that was constructed in 1925. City records confirm that the building was originally developed as 24 studio units. As noted in the Building Conditions Report, two studio units were converted into a one-bedroom unit without a building permit, and a unit was constructed in the basement without a building permit. A condition has been added to the resolution for this project, which will require the property to be restored to its original configuration of 24 studio units prior to recordation of the Final Map.

The building is a flat roofed structure with a partial basement. It has brick masonry walls, two of which (facing the streets on this corner lot) are glazed brick, clay tile, as well as asphalt shingle partial mansards at the flat roof and a concrete foundation. There is no on-site parking. The building also includes a common laundry room, bathroom and storage rooms.

The site is known as the Biltmore Apartments and was designated historic on May 25, 2006 under Historic Resources Board Criterion C, as a good example of the French Eclectic architectural style as it relates to a multi-unit use.

The structure is constructed with Un-Reinforced Masonry (URM.) On May 22, 2006, a building permit was issued to bring the site into compliance with the City's URM Ordinance. The work was completed on August 25, 2006.

Adjacent land uses include drive-thru restaurants to the north and west, City College to the east, and a residential duplex to the south.

DISCUSSION

Project Description: The project proposes to convert 24 existing studio apartments into 24 condominiums.

Project-Related Issues:

Parking - Current off-street parking requirements would require 24 spaces. However, original construction did not include any off-street parking and none is proposed with this action. Because the application for this Tentative Map was deemed complete prior to the new condo-conversion parking requirements adopted by the City Council on June 13, 2006, this project has established previously conforming rights and is not required to provide any new off-street parking.

Currently tenants either park on the street along side of the building, across the street next to City College, or they secure a monthly parking pass from one of the three commercial parking lots that are located within three blocks of the building.

Landscaping – The subject property is improved with a building that covers the entire lot. As such, there is no on-site landscaping. Current zoning requirements within the Centre City planned area allow a structure to encumber the entire site without on-site landscape planting material. The proposed project is subject to the landscape requirements adopted by City Council on June 13, 2006 and street landscaping is required. However, this site has established street trees that CCDC staff has determined comply with current landscape requirements. Although no new landscaping is proposed with this action, a condition has been included in the draft resolution requiring updated tree-grates prior to recordation of the Final Map.

Affordable Housing - This project is subject to the Inclusionary Housing requirements of San Diego Municipal Code Chapter 14, Article 2, Division 13. The City's current Condominium Conversion Ordinance (SDMC Section 144.0508) states that "Condominium conversion projects of 20 or more units shall satisfy the inclusionary housing requirements onsite in accordance with Section 142.1306." Further, the City's Inclusionary Housing Ordinance (SDMC Section 142.1306.a) states that "Condominium conversion units affordable to and sold to households earning less than 150% of the AMI pursuant to an agreement entered into with the San Diego Housing Commission shall not be included in the dwelling unit total for purposes of applying the 10% inclusionary housing requirement."

To comply with the Ordinance, prior to receiving a Final Map, the applicant shall enter into an agreement with the San Diego Housing Commission to either provide at least 10% of the units for households with an income at or below 100% percent AMI, or provide five units for households with an income at or below 150% AMI and pay the Inclusionary In-Lieu fee on the square footage of the remaining nineteen units.

Further, this project is subject to Tenant Relocation Benefits noted within San Diego Municipal Code Sections 144.0505 and 144.0505. Prior to receiving a Final Map, the applicant shall either show evidence that relocation assistance has been paid to eligible tenants or enter into an agreement with the San Diego Housing Commission to demonstrate conformance with the Municipal Code provisions. In addition, the applicant must pay the appropriate fees incurred by the Housing Commission for compliance monitoring.

Noticing - The requested conversion of these residential units to condominiums represents primarily a change in ownership. The applicant has certified that the required 60-day Notice of Intent to Convert to Condominiums was provided to the tenants on January 5, 2005 (Attachment 9.)

Utilities - All utilities serving the site are currently placed underground.

Tentative Map – The project proposes the conversion of 24 existing residential rental units into condominium units (Attachment 5). Section 125.0410 of the San Diego Municipal Code requires that a Tentative Map be processed for the subdivision of land. According to San Diego Municipal Code Section 144.0444, Findings for Tentative Maps for Condominium Conversion, the decision maker may approve a Tentative Map for the purposes of the conversion of residential property into a condominium project if the decision maker finds that the proposed conversion complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code (Attachment 6.)

Community Planning Group Recommendation: On February 15, 2006, the Centre City Advisory Committee (CCAC) recommended approval of the Tentative Map by a vote of 14 in favor, 6 opposed and 1 abstaining. Concerns over missed opportunities for redevelopment once the building is converted into condominiums were given as a reason for 6 dissenting votes.


CONCLUSION

Development Services and CCDC Staff have reviewed the request for a Tentative Map for the conversion of 24 residential units into condominiums and have found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps. Staff believes the required findings can be supported and recommends that the Planning Commission approve the project as proposed.


ALTERNATIVE

1. Approve Tentative Map No. 281241, with modifications.
2. Deny Tentative Map No. 281241, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Mike Westlake
Program Manager,
Development Services Department



Peter Lynch
Development Project Manager,
Development Services Department

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photo
4. Project Data Sheet
5. Tentative Map Exhibit
6. Draft Tentative Map Resolution, with Findings and Conditions
7. Ownership Disclosure Statement
8. Project Chronology
9. Copy of Tenant Notices
10. Photo Survey
11. Building Conditions Report