

DATE ISSUED: December 2, 2004 **REPORT NO. PC-04-210**

ATTENTION: **Planning Commission, Agenda of December 9, 2004**

SUBJECT: GRAMERCY DRIVE TENTATIVE MAP-PROJECT NO. 38912
PROCESS FOUR

OWNER/ Grandma's Apartments, a California Limited Partnership (Attachment 8)

APPLICANT: **Jim Neil, CB Richard Ellis**

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map for the conversion of 184 existing residential units into condominium units with a waiver of the requirement to underground existing overhead utilities at 9054 Gramercy Drive within the Serra Mesa Community Plan area?

Staff Recommendation:

1. **Approve** Tentative Map No. 47066 and waiver of under-grounding existing overhead utilities.

Community Planning Group Recommendation: On July 15, 2004, the Serra Mesa Planning Group voted 4 to 3 to recommend denial of the Tentative Map application (Attachment 7).

Environmental Review: This project is exempt from environmental review pursuant to Article 19, Section 15301(k), Existing Facilities, of the California Environmental Quality Act (CEQA).

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 the 184 existing apartments to condominiums, there would be a loss of 184 rental units and a gain of 184 for-sale units. This condominium conversion project is required to comply with the

Inclusionary Affordable Housing Ordinance and tenant relocation assistance which have been included as a condition of the Tentative Map. The subdivider has elected to pay the In-Lieu Fee to satisfy the Inclusionary Affordable Housing Ordinance.

BACKGROUND

The 5.918 acre site is located at 9054 Gramercy Drive, between Mobley Street and Ruffin Road in the RM-3-7 zone, within the Serra Mesa Community Plan area, which designates the site for Multi-Family Residential (Attachment 2). The site is presently developed with fourteen, two story structures containing 55-one bedroom, 80-two bedroom, 48-three bedroom apartment units and one(1)-single story studio unit. The site provides 275 off-street parking spaces for the 184 units.

The existing improvements were constructed in 1979 when the site was zoned R-4. The R-4 zone allowed one unit per 1,000 square feet of lot area and permitted the 183 units on this 257,788 square foot site. One additional studio unit and one additional parking space were added in 2003 by converting an existing laundry room by permit number B201532 03. The one additional parking space is what was required in 2003 for the addition of the studio unit. All development is assumed to have complied with the zoning and development regulations in effect at the time of construction. No Building or Zoning Code violations have been recorded against the property.

The project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1, of the Land Development Code.

DISCUSSION

Project Description:

The project proposes a Tentative Map for the subdivision of a 5.918-acre site to convert 184 existing dwelling units into condominiums on one lot (Attachment 3). The applicant is also requesting that the requirement for the under-grounding of the existing overhead utilities be waived.

Section 125.0410 of the San Diego Municipal Code (SDMC) requires that a Tentative Map be processed for the subdivision of land. According to SDMC Sections 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 that 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 that it complies with both the Subdivision Map Act and the San Diego Municipal Code.

Undergrounding Waiver Request:

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, *Underground Conversion of Utility Lines at the Developer's Expense*, in that the conversion is a requirement of a condominium conversion of an existing development and the conversion involves a short span of overhead facilities less than a full block in length and the conversion would not represent a logical extension to an under-grounding facility. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. four(4) of the draft Tentative Map resolution (Attachment 6).

The City's Under-grounding Master Plan for Fiscal Year 2004 designates Gramercy Drive as having been funded in 2000. Utilities remaining to be under-grounded along Gramercy Drive are abutting the public right-of-way across from the project site. The utilities for Village Glen Drive have also been completed on both sides of the abutting right-of-way adjacent to the project site. All utilities within the boundary of the project site and the abutting properties have been under-grounded.

Community Plan Analysis:

The Serra Mesa Community Plan designates this site as Multi-Family Residential. The site is within an area developed with a variety of residential types, public and private schools, and a City park. No physical changes to the buildings or site are being proposed with this condominium conversion.

Project-Related Issues:

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 17, 2004(Attachment 11).

This project was Deemed Complete on June 16, 2004. All condominium conversion projects Deemed Complete after February 7, 2004, must conform to the regulations regarding inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. Conditions No. ten(10) and eleven(11) in the draft Tentative Map resolution require compliance with this ordinance (Attachment 6)

On July 15, 2004, the Serra Mesa Planning Group voted 3-4 to recommend denial of the project (Attachment 7). Concerns about the number of parking spaces being provided were raised. It was explained to the attendees that the complex and the parking was conforming at the time of construction.

Conclusion:

Staff has reviewed the request for a Tentative Map for the conversion of 184 residential units into condominiums and the request to waive the requirements of the under-grounding of existing overhead utilities, and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and Council Policy 600-25 regulating undergrounding of existing overhead utilities. Staff believes the required findings can be supported and recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. **Approve** Tentative Map No. 47066, **with modifications.**
2. **Deny** Tentative Map No. 47066, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

Marcela Escobar-Eck
Deputy Director, Project Management Division
Development Services Department

Helene Deisher
Development Project Manager
Development Services Department

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Tentative Map Exhibit
6. Draft Map Conditions and Subdivision Resolution
7. Community Planning Group Recommendation and Minutes
8. Ownership Disclosure Statement
9. Project Chronology
10. City's Undergrounding Master Plan – Block 6AA and 6Z
11. Copy Of Tenant Notice and Certification

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