

DATE ISSUED: May 5, 2005

REPORT NO. PC-05-132

ATTENTION: Planning Commission, Agenda of May 12, 2005

SUBJECT: GOLD COAST TENTATIVE MAP – PROJECT NO. 52605
PROCESS FOUR

**OWNER/
APPLICANT:** William M. and Louella M. Mitchell, Owner/
Bob Haynes, Applicant

SUMMARY

Issue(s) - Should the Planning Commission approve a Tentative Map for the conversion of 24 existing residential units into condominiums at 9585 Gold Coast Drive (Building G and H) in the RM-3-7 zone within the Mira Mesa Community Planning Area?

Staff Recommendation - Approve Tentative Map No. 151986

Community Planning Group Recommendation – On December 20, 2004, the Mira Mesa Community Planning Group voted 16-0-0 to recommend approval of the proposed project with no conditions (Attachment 9).

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 - The project proposes the conversion of 24 existing apartments to condominiums on a 4.13-acre site. The project site currently contains a total of 100-residential units, of which 76 residential units were approved for condominiums on February 1, 1980. Therefore, the existing 76 residential units are exempt from the City's

Inclusionary Housing Ordinance and the tenant relocation benefit requirements of the Condominium Conversion Ordinance.

The proposed project for the conversion of remaining 24 apartment units will conform to the Inclusionary Affordable Housing Requirements and Council Policy 600-27(A) criteria for the Affordable/In-Fill Housing Expedite Program by setting aside at least 10 percent of the total for-sale dwelling units on-site for households with an income at or below 100 percent Area Median Income (AMI); and will comply with the tenant relocation benefits requirements of the Condominium Conversion Ordinance.

BACKGROUND

The 4.13-acre site is located at 9585 Gold Coast Drive (Building G and H), between Black Mountain Road and Interstate 15, in the RM-3-7 zone within the Mira Mesa Community Planning Area (Attachment 2). The site is designated within the Mira Mesa Community Plan for Residential use, 30-45 dwelling units per acre (Attachment 3). The site is presently developed with six two-story apartment buildings (Buildings A through F) that were permitted on December 7, 1976, containing 40 one-bedroom units and 36 two-bedroom units. In February 1980, Condominium Conversion Permit No. 3 (Attachment 7) and Map No. 9574 were recorded allowing these units to be converted to condominiums, however, the units have remained rental units and can be converted to condominiums at any time. On December 10, 1987, an additional two two-story apartment buildings over parking garages (Building G and H) were permitted, which contain 3 one-bedroom units and 21 two-bedroom units.

The 76 unit development was built when the zone was R-3, a multi-family residential zone, which permits one unit per 1,000 square feet and would allow 180 units on the property. In August 1983, the R-3 zoning designation was changed to R-1000, a multi-family residential zone which permits one unit per 1,000 square feet. In January 2000, the R-1000 zoning designation was changed to RM-3-7.

The project provides 160 off-street parking spaces. In January 2000, the site was located within a Transit Area Overlay Zone (TAOZ) and required 154 off-street parking spaces, however, on June 9, 2004 the TAOZ boundary areas were amended which removed the site from the TAOZ and current regulations require 179 off-street parking spaces. The project deviates from current landscape, parking, and may deviate from other development criteria. However, the project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the San Diego Municipal Code (SDMC).

The existing development is bounded on the east, west, and south by existing two-story multi-family residential development. The Hourglass Field and faculty parking lot for San Diego Miramar College is located across the street, directly north of the project site. The Mira Mesa Community Plan encourages the provision of market rate housing in a variety of types, sizes and costs to meet the needs of residents in all socioeconomic brackets.

DISCUSSION

Project Description:

The project proposes a Tentative Map for the subdivision of a 4.13-acre site to convert 24 existing dwelling units into condominiums (Attachment 5). 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 SDMC. Staff has reviewed the proposed condominium conversion and determined that it complies with both the Subdivision Map Act and the SDMC.

Undergrounding Requirements:

The project site is located on the south side of Gold Coast Drive, between Black Mountain Road and Interstate 15, within Council District Five. The project currently contains high voltage (69,000 volts) overhead utility lines which are located within the public right-of-way fronting the property on Gold Coast Drive. There is only one utility pole fronting the property. The City's Undergrounding Master Plan for Fiscal Year 2004 does not provide maps for District Five. The District's overhead utility lines have already been undergrounded, except for a few high voltage lines that are exempt from being undergrounded or will be undergrounded through the 20-A program.

SDMC Section 144.0240(b)(4) states that the requirement for undergrounding of power transmission lines shall not be required for 60,000 volts (kv) or more. Therefore, the existing 69 kv lines fronting the property are exempt from being undergrounded (Attachment 6). The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 6 of the draft Tentative Map resolution (Attachment 8).

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 February 15, 2005 (Attachment 12). Copies of the notices are on file in the Development Services Department. A sample of the 60-day Notice is also attached (Attachment 12).

The proposed conversion of the existing 24 apartments units will conform to the Inclusionary Affordable Housing Requirements and Council Policy 600-27(A) criteria for the Affordable/In-Fill Housing Expedite Program by setting aside at least 10 percent of the total for-sale dwelling units on-site for households with an income at or below 100 percent Area Median Income (AMI); and will comply with the tenant relocation benefits requirements of the Condominium Conversion Ordinance.

CONCLUSION:

Staff has reviewed the request for a Tentative Map for the conversion of 24 residential units into condominiums and has found the project to be in conformance with the applicable sections of the SDMC regulating Tentative Maps, and regulating undergrounding of existing overhead utilities. Staff has determined that the development is consistent with the land use designation of the Mira Mesa Community Plan and believes the required findings can be supported (Attachment 8). Therefore, staff recommends that the Planning Commission acknowledge the Environmental Exemption and approve the project as proposed.

ALTERNATIVES

1. **Approve** Tentative Map No. 151986 with modifications.
2. **Deny** Tentative Map No.151986 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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

Jeffrey A. Peterson
Development Project Manager
Development Services Department

ESCOBAR-ECK/JAP

Attachments:

1. Aerial Photo
2. Project Location Map
3. Community Plan Land Use Map
4. Project Data Sheet
5. Tentative Map Exhibit
6. SDMC Section 144.0240(b)(4)
7. Conversion Permit No. 3
8. Draft Map Conditions and Subdivision Resolution
9. Community Planning Group Recommendation
10. Ownership Disclosure
11. Project Chronology
12. Copy of Tenant Notices