

DATE ISSUED: April 15, 2005 REPORT NO. PC-05-142

ATTENTION: Planning Commission, Agenda of April 21, 2005.

SUBJECT: KEARNY MESA TOWNHOMES TM - PROJECT NO. 49180.
PROCESS NUMBER 4.

OWNER/
APPLICANT: North Park Venture, LLC ET AL (Attachment 8)

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map to convert forty-two (42) existing residential dwelling units to condominiums on a 0.685 acre site at 7555 Linda Vista Road, in the CO -1-2(Commercial-Office) Zone within the Linda Vista Community Plan Area?

Staff Recommendation:

1. **APPROVE** Tentative Map No. 146284

Community Planning Group Recommendation: On January 24, 2005, the Linda Vista Community Planning Group voted 12-0 to recommend approval of the application subject to compliance with all city requirements with special attention to city approval that parking may be shared with the adjacent Medical Center, located adjacent to the south of the subject property.

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 Statement: 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 42 existing apartments to condominiums, there would be a loss of 42 rental units and a gain of 42 for-sale units. This project is required to comply with regulations regarding inclusionary housing and tenant relocation assistance.

BACKGROUND

The 0.685 acre (29,839sq. ft.) site is addressed as 7555 Linda Vista Road and located north of Wheatley Street, south of Mesa College Drive, west of State Route 163 at the southeasterly corner of Linda Vista Road and Family Circle, currently zoned CO-1-2 (Commercial-Office), within the Linda Vista Community Plan Area (Attachment 3). The site is developed with a multi-story, 42-unit apartment complex. The Community Plan designates this site for multi-family residential land use, at a medium-high density (30-43 dwelling units per acre - du/ac). The existing use is consistent with this designation. Surrounding land uses include institutional/educational and associated uses to the west (Kearny High School), multi-family residential to the north and east, and medical office use to the south.

The current zoning was applied to the site in 1967. The purpose of the CO Zone is to provide areas for employment uses with limited, complementary retail uses and medium- to high-density residential development. The CO zones are intended to apply in larger activity centers or in specialized areas where a full range of commercial activities is not desirable. Development regulations of the zone permit multi-family residential land use at a density of one unit per 1,500 sq. ft. of lot area (29 du/ac), which would currently allow a maximum of 20 dwelling units on the site.

The existing 42-unit apartment building was approved for construction in 1963 subject to the development regulations of the R-P (Residential-Professional) Zone then in effect, and has previously conforming rights with respect to density and parking. The subject property and the adjacent property to the south are located on separate legal lots, were developed with their respective uses under the same ownership and currently share existing off-street parking spaces. On-street parking is available on both the north and south sides of Family Circle.

DISCUSSION

Project Description

The project proposes a Tentative Map for the subdivision of a 0.685 acre site to create one lot and for the conversion of 42 multi-family dwelling units into condominiums (Attachment 5). The Applicant is also requesting that the requirement for the undergrounding 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 the Subdivision Map Act and the San Diego Municipal Code.

The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 6V, which has a projected date for undergrounding in year 2026 (Attachment 10). However, a site visit has determined that utilities adjacent to the subject property have already been undergrounded.

Project-Related Issues

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 conform to the new regulations regarding inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. This proposed project was Deemed Complete on October 21, 2004, and is therefore subject to these new regulations. Conditions have been added to the draft tentative map resolution (Attachment 6) to address these requirements.

The community planning group voted to recommend approval of the application and noted a desire that parking continue to be shared with the adjacent Medical Center. A copy of the Group's recommendation is included as Attachment 7. With development of the two separate properties under one ownership, the shared parking of the off-street parking spaces was able to be accommodated. With the conversion of the apartments to condominiums for sale to individual owners, the opportunity for the shared use of the common off-street parking spaces would not be assured. Conditions have been added to the draft Permit which require that shared parking and access agreements be maintained.

Conclusion

Staff has reviewed the request for a Tentative Map for the conversion of 42 residential units into condominiums and determined the project to be in conformance with the applicable sections of the Municipal Code regulating Tentative Maps. Staff can support the required findings and recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. Approve Tentative Map No. 146284 with modifications.
2. Deny Tentative Map No. 146284 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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

Bill Tripp
Development Project Manager
Development Services Department

HALBERT/WCT

Attachments:

1. Aerial Photograph of Project Site
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Tentative Map
6. Draft Map Conditions and Subdivision Resolution
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Chronology
10. City's Undergrounding Master Plan – Map 6V
11. Sample Notice to Tenants