

**DATE ISSUED:** August 18, 2005

**REPORT NO. PC-05-249**

**ATTENTION:** **Planning Commission, Agenda of August 25, 2005**

**SUBJECT:** VILLA DE FLORES TENTATIVE MAP-PROJECT NO. 70831  
PROCESS FOUR

**OWNER/** **Villa De Flores, LP (Attachment 8)**

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

**SUMMARY**

**Issue(s):** Should the Planning Commission approve a Tentative Map for the conversion of ninety (90) existing residential units into condominium units at 7707 Mission Gorge Road within the Navajo Community Plan area?

**Staff Recommendation:**

1. **Approve** Tentative Map No. 215247

**Community Planning Group Recommendation:** On June 20, 2005 the Navajo Community Planners voted to approve the request for the Villa De Flores Tentative Map. The motion passed 9-2, with no conditions (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 ninety (90) existing apartments to condominiums, there would be a loss of ninety (90) rental units and a gain of ninety (90) 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 3.439 acre site is located at 7707 Mission Gorge Road between Margerum Avenue and Mission Montana Drive in the RM-2-5 zone, within the Navajo Community Plan area, which designates the site for Multi-Family Residential (Attachment 2). The site is presently developed with four (4), two story structures, one (1), one-story building and a pool. The buildings contain sixty-eight (68) one bedroom units and twenty-two (22), two-bedroom units. The site provides 123 off street parking spaces which are consistent with requirements at the time of construction and the approved plans on file with Development Services.

The existing improvements were constructed in 1977 when the site was zoned R-2A and permitted one dwelling unit per each 1,500 square feet of lot area. The R-2A zone would have allowed for 100 units on the 14,980.84 square foot site. The ninety (90) existing units are within this density range. 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 3.439 acre site to convert ninety (90) existing dwelling units into condominiums on one lot (Attachment 3).

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 Utilities:**

All adjacent overhead utility lines have been previously under-grounded.

### **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 delivered to the tenants April 26, 2005. Certified receipts of that notice demonstrate receipt by tenant by April 26, 2005 (Attachment 10).

This project was Deemed Complete on May 5, 2005. 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. 10 and 11, in the draft Tentative Map resolution require compliance with this ordinance (Attachment 6).

On June 20, 2005 the Navajo Community Planners voted to approve the request for the Tentative Map. The motion to approve the project passed 9-2 with no conditions (Attachment 7).

**Conclusion:**

Staff has reviewed the request for a Tentative Map for the conversion of the ninety (90) 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 believes the required findings can be supported and recommends the Planning Commission approve the project as proposed.

**ALTERNATIVES**

1. **Approve Tentative Map No. 215247 with modifications.**
2. **Deny Tentative Map No. 215247 if the findings required to approve the project cannot be affirmed.**

**Respectfully submitted,**

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**Jeffery D. Strohminger**  
**Assistant Deputy Director**  
**Customer Support and Information Division**  
**Development Services Department**

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**Helene Deisher**  
**Development Project Manager**  
**Development Services Department**

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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. Copy Of Tenant Notice and Certification