

**DATE ISSUED:** January 19, 2006 **REPORT NO. PC-06-041**

**ATTENTION:** **Planning Commission, Agenda of January 26, 2005**

**SUBJECT:** CITY VILLAS CONDOMINIUMS - PROJECT NO. 68637  
PROCESS NUMBER 4

**OWNER:** CVLP–Judd/Melissa Cooper (Attachment 8)

**APPLICANT:** Lintvedt, McColl & Associates

**SUMMARY**

**Issue(s):** Should the Planning Commission approve a Tentative Map to allow the conversion of 70 residential units into condominiums on a site located in the Centre City Planning Area?

**Staff Recommendation:** APPROVE Tentative Map No. 207858.

**Community Planning Group Recommendation:** On September 14, 2005, the Centre City Advisory Committee (CCAC) recommended approval of the Tentative Map by a vote of 13 in favor, 10 opposed and no abstentions.

**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 October 12, 2005, and the opportunity to appeal that determination ended November 2, 2005.

**Fiscal Impact Statement:** None, as CVLP–Judd is responsible for all processing costs for this project.

**Code Enforcement Impact:** There are no Code Enforcement violations associated with this project.

**Housing Impact Statement:** With the proposed conversion of 70 existing living units into condominiums, there would be a loss of 70 rentals units and a gain of 70 for-sale units. This Tentative Map request was deemed complete subject to inclusionary affordable housing and relocation requirements.

## **BACKGROUND**

The 0.462 acre lot is located on the southeast corner of E Street and 16<sup>th</sup> Street (Attachment 1). The project site is within the East Village Neighborhood, CCPD-C (Mixed-Use/Residential Emphasis) land use district of the Centre City Planned District (Attachment 2).

The project consists of three separate buildings. Building A is a 20-unit, five-story structure located at 837 16<sup>th</sup> Street. It was constructed under building permit number B004319-87 and received a Certificate of Occupancy on August 22, 1988. Building B is also a 20-unit, five-story structure that is identical with Building A. It is located at 841 16<sup>th</sup> Street and was constructed under building permit number B004287-87, which received a Certificate of Occupancy on August 23, 1988. Building C is a 30-unit, five-story building located at 845 16<sup>th</sup> Street. This structure was constructed under building permit number B002102-89 and received its Certificate of Occupancy on September 21, 1990.

Buildings A and B are each comprised of four (4) studio units and 16 one-bedroom units. Each building totals 13,376 square-feet, including 2,400 square-feet of underground parking and seven (7) parking spaces. Building three is comprised of 18 one-bedroom units and 12 two-bedroom units. It totals 35,056 square-feet, including 15,124 square-feet of underground parking that includes 36 spaces. Combined, these buildings total 61,808 square-feet, 70 units and 50 parking spaces.

The buildings were constructed pursuant to the Centre City East Planned District Ordinance, RCX Zone development regulations. On May 11, 1992, the zone was changed to CCPD-C. This new zone and has no maximum density, but development is restricted to a Floor Area Ratio of 6.0. Under the CCPD-C Zone, a building approximately 120,000 square-foot in size could be developed on the site, whereas the existing structures, including parking, total 61,808 square-feet. Further, current development regulations would require 0.5 parking spaces per unit for a total of 35 spaces. However the site currently has 50 parking spaces. As such, the project complies with current Floor Area Ratio, density and parking requirements.

The project is surrounded by a parking lot to the north, an apartment building to the east and commercial and retail shops to the south and west.

## **DISCUSSION**

**Project Description:** The project proposes a Tentative Map for the conversion of 70 existing residential rental units into condominium units (Attachment 5). No construction is required for compliance with this Tentative Map. 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.

**Inclusionary Housing:** The requested conversion of these residential units to condominiums represents primarily a change in ownership. Pursuant to the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 and Chapter 14, Article 4, Division 5 of the Land Development Code), condominium conversion projects must comply with regulations regarding Inclusionary Housing and Tenant Relocation Benefits if Deemed Complete on or after February 7, 2004. This project was Deemed Complete on July 14, 2005 and is therefore subject to these regulations.

To satisfy the Inclusionary Affordable Housing requirement, the applicant has chosen to pay an In-Lieu Fee. A condition has been added to the draft resolution for this project requiring the subdivider to pay a total In-Lieu Fee of \$104,7100 , prior to recordation of a Final Map. This fee is based on an amount of \$2.50 per square foot multiplied by a total habitable square footage of 41,884.

Furthermore, a condition has been added to the draft resolution that requires the subdivider to demonstrate compliance with Tenant Relocation Benefits, to the satisfaction of the City Manager and the Housing Commission, prior to the recordation of the Final Map

**Utilities:** All utilities serving the site are currently placed underground.

**Community Planning Group Recommendation:** On September 14, 2005 , the Centre City Advisory Committee (CCAC) recommended approval of the Tentative Map by a vote of 13 in favor, 10 against with none abstaining. According to the CCAC Chair, the subjects discussed prior to the vote were parking, concerns regarding tenant noticing and relocation assistance. However, no minutes were retained regarding the vote.

For condominium conversions, the Land Development Code (LDC) currently allows the project the benefit of previously conforming rights for parking. Nonetheless, the existing development meets current CCPD-C Zone parking requirements. In regard to tenant notification, the property owners have shown compliance with State and City regulations. Finally, a condition has been placed on the draft resolution stating that the property owner show compliance with required LDC relocation benefits prior to recordation of a Final Map.

## **CONCLUSION**

Development Services Department staff has reviewed the request for a Tentative Map to convert 70 residential units into condominiums. Staff has found the project to be in conformance with the applicable sections of the San Diego Municipal Code and the Subdivision Map Act, which regulate Tentative Maps. Therefore, staff recommends that the Planning Commission acknowledge the Environmental Exemption and approve the project as proposed.

**ALTERNATIVE**

1. Approve Tentative Map 207858 with modifications.
2. Deny Tentative Map 207858, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Jeffrey Strohminger  
Assistant Deputy Director,  
Customer Support and Information Division  
Development Services Department

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Peter Lynch  
Development Project Manager,  
Customer Support and Information Division  
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. 60 Day Notice of Filing Tentative Map for Conversion
7. Draft Tentative Map Resolution, with Findings and Conditions
8. Ownership Disclosure Statement
9. Project Chronology
10. Photo Survey