

**DATE ISSUED:** January 19, 2006 **REPORT NO.** PC-06-044

**ATTENTION:** Planning Commission, Agenda of January 26, 2006

**SUBJECT:** 6627 LA JOLLA BOULEVARD TENTATIVE MAP - PROJECT NO. 60030. PROCESS 4.

**OWNER/**

**APPLICANT:** La Jolla Coastal, LLC, Owners/Applicants (Attachment 8)

### **SUMMARY**

Issue(s) - Should the Planning Commission approve Tentative Map No. 177233 Coastal Development Permit No. 179640 and waive the requirement to underground existing utilities to convert five existing residential units to condominiums at 6627 La Jolla Boulevard in the La Jolla Community Plan area?

#### Staff Recommendation -

1. APPROVE Tentative Map No. 177233 Coastal Development Permit No. 179640 and waive the requirement to underground existing utilities.

Community Planning Group Recommendation - The La Jolla Community Planning Association, on July 7, 2005 voted 10:0:0 to approve the project without conditions.

Environmental Review - The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301(k) as "Existing Facilities." This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 15, 2005, and the opportunity to appeal that determination ended March 29, 2005. This Tentative Map has no outstanding environmental appeals.

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 five existing apartments to condominiums, there would be a loss of 5 rentals units and a gain of 5 for-sale units. This Tentative Map and Coastal Development Permit request was deemed complete subsequent to February 7, 2004, and therefore is required to comply with the inclusionary affordable housing requirements.

## **BACKGROUND**

The 0.13 acre site is located at 6627– 6631B La Jolla Boulevard in the RM-3-7 zone within the La Jolla Community Plan area between Rosemont and Gravilla Streets. The surrounding land uses are multi-family residential to the north, east, south and west. The Land Use Element of the La Jolla Community Plan designates the site for Medium High Residential at 30-45 dwelling units per acre (Attachment 1). The 0.13 acre site has been developed at an approximate density of 38 dwelling units per acre (Attachment 2). Within areas designated for attached housing, the La Jolla Community Plan does not address the issue of single versus condominium or fractional ownership.

The existing development was constructed in two phases. The building closest to the boulevard was developed in 1975 while the rear building was constructed in 1983 (Attachment 3). At the time the property was developed the approved construction met all current regulations. The site is presently improved with two two story apartment buildings. The two story buildings include a total of three two bedroom units; two at 816 square feet each, one at 858 square feet, and two one-bedroom units; one at 505 square feet and the second at 841 square feet. The original development provided ten parking spaces.

The development complied with the zoning and development regulations in effect at the time of construction. No Building or Zoning Code violations are 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 current application proposes a Tentative Map and Coastal Development Permit (Attachment 4) to convert the existing five residential units to condominiums. Utilities are existing above ground in the alley right-of-way between Gravilla and Rosemont Streets. No physical changes to the developed site are proposed or will occur should the Planning Commission action be to approve the application.

Section 125.0410 of the San Diego Municipal Code (SDMC) requires a Tentative Map be processed for the subdivision of land. According to SDMC §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 the proposed conversion complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Section 126.001 of the San Diego Municipal Code (SDMC) requires a Coastal Development Permit be processed for any development in the Coastal Zone. The subdivision of land is deemed to be development and a Coastal Development Permit is required. In the Coastal Zone, a Tentative Map and Coastal Development Permit shall be processed for the subdivision of land. Staff has reviewed the proposed condominium conversion and determined it complies with both the Subdivision Map Act and San Diego Municipal Code.

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, the conversion would represent an isolated undergrounding with a minimum probability of extension in the future, and the conversion would not represent a logical extension to an undergrounding facility. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 5 of the draft Tentative Map resolution (Attachment 5).

Existing power poles are approximately 60 feet south and 60 feet north of the site. Neighboring sites adjacent and across the alley from the subject property receive electrical, telephone and/or cable service from these overhead lines. Undergrounding those services would disrupt properties not included in the proposed project. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 1C, and is proposed to be undergrounded in Fiscal Year 2026 (Attachment 7).

### **CONDOMINIUM CONVERSION REGULATIONS**

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 Condominium was provided to the tenants on November 4, 2005 (Attachment 8).

All condominium conversion projects deemed complete on or after February 7, 2004, must comply with new regulations addressing inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. This proposed project was deemed complete on February 24, 2005, is subject to these regulations and has been conditioned to comply with the requirements. The applicant has elected to pay an in lieu fee in the amount of \$4,795.00 to meet

these requirements.

## **CONCLUSION**

Staff has reviewed the request for a Tentative Map and Coastal Development Permit for the conversion of five 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, Coastal Development Permits and the waiver from the requirement to underground the existing overhead utilities. Staff has provided draft findings to support approval of the Tentative Map (Attachment 5) and the Coastal Development Permit (Attachment 6) and recommends the Planning Commission approve the project as proposed.

## **ALTERNATIVES**

1. Approve Tentative Map No. 207870 Coastal Development Permit No. 179640 and waive the requirement to underground existing utilities, with modifications.
2. Deny Tentative Map No. 207870 Coastal Development Permit No. 179640 and waive the requirement to underground existing utilities, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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John S. Fisher  
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HALBERT/JSF

- Attachments:
1. Community Plan Land Use Map
  2. Aerial Photograph
  3. Project Location Map
  4. Tentative Map
  5. Draft Map Conditions and Subdivision Resolution
  6. Draft Coastal Development Permit Resolution
  7. Underground Project Schedule

8. Government Code 66452.3; self-certification statement
9. Ownership Disclosure Statement
10. Community Planning Group Recommendation
11. Project Chronology
12. Project Data Sheet
13. Draft Coastal Development Permit No. 179640