

DATE ISSUED: February 16, 2006

REPORT NO. PC-06-059

ATTENTION: **Planning Commission, Agenda of March 2, 2006**

SUBJECT: 4517 WEST POINT LOMA TENTATIVE MAP – PENINSULA –
PROJECT No. 81215, PROCESS 4.

OWNER: Scott Cass, Cass Plumbing

APPLICANT: Melissa Cooper, Lintvedt, McColl, & Associates

SUMMARY

Issue: Should the Planning Commission approve a Tentative Map and Undergrounding Waiver to convert 14 existing residential apartment units to condominiums at 4517 West Point Loma Boulevard, in the RM-3-7 Zone of the Peninsula Community Plan?

Staff Recommendation:

1. APPROVE Tentative Map No. 254175
2. APPROVE Undergrounding Waiver.

Community Planning Group Recommendation: The Peninsula Community Planning Board considered the project at their meeting on November 17, 2005 where a motion to recommend approval carried by a vote of 6-4-0 with a condition to upgrade utilities (Attachment 7).

Environmental Review: The project has been determined to be exempt from the California Environmental Quality Act (CEQA) in accordance with the State CEQA Guidelines 15301(k), existing facilities, September 22, 2005 (Attachment 15). This determination was appealed September 23, 2005; and withdrawn on February 08, 2006 (Attachment 14).

Fiscal Impact: The cost of processing this application is paid for by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: The proposed project is the conversion of 14 existing apartment units to condominiums. There would be a loss of 14 rental units and a gain of 14 for-sale units. This project is subject to the Inclusionary Housing Regulations, which are conditions of the proposed Tentative Maps for Condominium Conversions. The applicant proposes to pay an in-lieu fee of \$25,145 to the Housing Commission.

BACKGROUND

A Tentative Map to convert existing apartment units into condominiums is a Process Four, Planning Commission decision per San Diego Municipal Code Section 125.0430. A Tentative Map for Condominium Conversion may be approved if the decision maker finds that the proposed division of land complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code.

The developed 10,180 square-foot (0.23 acre) site is located at 4517 West Point Loma Boulevard between Mentone and Montalvo Streets (Attachment 1) within the Loma Alta neighborhood of the Peninsula Community Plan (Attachment 2). The land is designated multifamily residential in the community plan at a high density of 30-44 du/ac. The site is zoned RM-3-7 and is not within the coastal zone permit jurisdiction of the City of San Diego. The site is within the Airport Approach Overlay Zone (AAOZ), and the Airport Environs Overlay Zone (AEOZ). The surrounding area contains multifamily development.

DISCUSSION

Project Description: The project proposes to convert the existing 14 apartments to 14 condominiums. The project consists of five, one-bedroom units; and nine, two-bedroom units in a three-story building built in 1972 with a total of 10,058 square feet of living area. Current parking requirements for the project, if constructed today, would be 26 spaces. The project was constructed with, and proposes 26 parking spaces. The project has established previously conforming rights. There are no zoning or code violations associated with the property.

Project-Related Issues:

Municipal Code Conformance – The 14-unit project was constructed in 1972 at a density of 60.8 dwelling units per acre (du/ac). In 1987, the Peninsula Community Plan established a recommended density for this area at 30-44 du/ac. At the time of construction, the site was zoned R-4 and permitted 14 units. The current RM -3-7 zone would allow 10 units (one per each 1,000 square feet of lot area). Under the current Code, 26 parking spaces would be required. However, the project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code.

The site is not within the Coastal Overlay Zone (Map C-730). The site is within the Airport Approach Overlay Zone (AAOZ) and Airport Environs Overlay Zone (AEOZ). Future expansion or redevelopment of the project site would be subject to review under these regulations as outlined in Chapter 13, Article 2 of the Land Development Code.

Airport Environs Overlay Zone (AEOZ) - The project site is within the Airport Environs Overlay Zone (AEOZ) and within the 70-75 decibel (dB) Community Noise Equivalent Level (CNEL) for Lindbergh Field operations. However, an Avigation Easement is not required pursuant to the Municipal Code at 132.0309 as there is no increase in the number of dwelling units.

Airport Approach Overlay Zone (AAOZ) - The project site is within the Airport Approach Overlay Zone (AEOZ) for Lindbergh Field operations. Pursuant to §132.0202, structures less than 30 feet high are exempt from further requirements of the AAOZ.

Noticing - The applicant has certified that the required 60-day Notice of Intent to Convert to Condominiums was provided to the tenants on July 27, 2005 (Attachment 13).

Undergrounding Waiver Request - There are existing overhead facilities adjacent to the project site. San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver of the requirement to underground the existing overhead utilities within the boundary of the parcel or subdivision. Staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, Underground Conversion of Utility Lines at the Developers Expense, in that it would not represent a logical extension to an underground facility, would represent an isolated undergrounding, and involves a short span (less than a full block in length). The project is located within Block 2G for which an undergrounding date has yet to be determined by Council for funding allocation (Attachment 12).

This project incorporates the new permit condition to underground all onsite utilities serving the subdivision.

Affordable Housing - This project is subject to the requirements of the Inclusionary Housing Regulations of the San Diego Municipal Code at Chapter 14, Article 3, Division 8. The Inclusionary Housing in-lieu fee would be \$25,145 based on 10,058 square feet of living space at a charge of \$2.6 /square foot.

Community Planning Group Recommendation – The Peninsula Community Planning Board considered the project at their meeting on November 17, 2005 where a motion to recommend approval carried by a vote of 6-4-0 with a condition to upgrade utilities. This issue is further discussed below.

Building Utilities – The Board expressed concern over the status of the existing utility systems. While not a current requirement of the Municipal Code, the applicant recognizes the potential direction of the Planning Commission to request a Building Conditions report as an added permit condition. If agreed to, this condition would require the applicant to provide an independent evaluation of the existing conditions of the building to the satisfaction of the City Manager. The report would be prepared in accordance with the State of California Business and Professions Code and would include evaluation of the structural integrity, mechanical, electrical, and plumbing systems of the building. The applicant would be asked to provide proof of compliance with any recommendations to repair or replace those systems.

Conclusion:

Staff has reviewed the request for a Tentative Map for the conversion of 14 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, and Council Policy 600-25 regulating undergrounding of existing overhead utilities. Staff believes the required findings can be supported and recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. Approve Tentative Map No. 254175 with modifications.
2. Deny Tentative Map No. 254175 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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STROHMINGER/CHW

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photo
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. Undergrounding Schedule
11. Copy of Tenant Notices
12. CEQA Exemption
13. CEQA Appeal
14. CEQA Appeal Withdrawal