

**DATE ISSUED:** July 14, 2006 **REPORT NO. PC-06-176**

**ATTENTION:** **Planning Commission, Agenda of July 20, 2006**

**SUBJECT:** 4929 COLLWOOD TENTATIVE MAP – PROJECT NO. 66724  
PROCESS FOUR

**OWNERS:** Collwood Pines Apartments, LP / Mark Gosselin(Attachment 8)

**APPLICANT:** San Diego Land Surveying and Engineering

**SUMMARY**

**Issue:** Should the Planning Commission approve a Tentative Map for the conversion of 16 existing residential units into condominiums at 4929 Collwood Boulevard, within College Area Community Plan?

**Staff Recommendation:**

1. **Approve** Tentative Map No. 200944.

**Community Planning Group Recommendation:** The College Area Community Council voted 9-3-0 to recommend denial of the project on October 12, 2005, as discussed in this report (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). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on July 15, 2005, and the opportunity to appeal that determination ended August 5, 2005.

**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 163 existing apartments to condominiums, there would be a loss of 163 rental units and a gain of 163 for-sale units. This condominium conversion project was deemed complete on June 3, 2005, and is therefore subject to the new regulations regarding Inclusionary housing and tenant relocation assistance. The applicant has elected to pay an in-lieu fee of \$288,187.50, based on \$2.50 per square foot of living space.

## **BACKGROUND**

The 6.79-acre site is located at 4929 Collwood Boulevard in the RM-3-7 Zone within the College Area Community Plan area (Attachment 3). The community plan designates the site for Medium–Medium High Density Residential uses at 15-45 dwelling units an acre. The site is surrounded by single family development to the south and east, and multi-family development to the south, west and north.

The existing 163 unit apartment buildings were constructed in 1974 under the R-3 Zoning. The 163 existing residential units, consisting of twenty-two 2 bedroom units, one hundred and thirty-five 1 bedroom units, and six studio units were allowed on the site at the time they were built and up to 296 could have been built. The current zone RM-3-7 continues to allow this density.

Additionally, the project has 229 vehicle parking spaces, where 296 spaces would be required in accordance with today's standards.

The development complied with the zoning and development regulations in effect at the time of construction and no Building or Zoning code violations have been recorded against the property.

## **DISCUSSION**

### **Project Description:**

The project proposes a Tentative Map for the subdivision of a 6.79 acre site to convert 163 existing dwelling units into condominiums on one lot (Attachment 5). The onsite and adjacent utilities have been previously undergrounded. The applicant would still be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 16 of the draft Tentative Map resolution (Attachment 6).

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.

**Community Planning Group and Neighborhood Recommendations:**

The College Area Community Council voted 9-3-0 to recommend denial of the proposed project on October 12, 2005. If, however, this plan is approved, then the Council recommended that the requirement for affordable housing be met on-site, and that the homeowners' association have a provision in their bylaws requiring that a single point of contact be appointed with sufficient police powers to maintain calm and to be available to answer community complaints, and that the applicant be required to underground utilities from the building to the edge of the power source. (Attachment 7).

**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 Notices of Intent to Convert to Condominiums were provided to the tenants on August 2, 2004 (Attachment 10).

All condominium conversion projects Deemed Complete on or after February 7, 2004, must conform with 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 June 3, 2005, and is therefore subject to these new regulations. The project has been conditioned to require the subdivider conform with the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code) and demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5) to the satisfaction of the City Manager and the Housing Commission, prior to the recordation of the Final Map. The applicant has elected to pay an in-lieu fee of \$288,187.50.

**Conclusion:**

Staff has reviewed the request for a Tentative Map for the conversion of 16 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 requirement findings can be supported and recommends the Planning Commission approve the project as proposed.

**ALTERNATIVES**

1. **Approve Tentative Map No. 200944 with modifications.**
1. **Deny Tentative Map No. 200944 if the findings required to approve the project cannot be affirmed.**

**Respectfully submitted,**

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**Mike Westlake**  
**Program Manager**  
**Development Services Department**

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**Jeannette Temple**  
**Development Project Manager**  
**Development Services Department**

WESTLAKE/JCT

Attachments:

1. Aerial Photograph
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. Copy of 60-Day Notice of Intent to Convert
11. Photos of Existing Front and Rear Elevations