

DATE ISSUED: June 6, 2006 REPORT NO. PC-06-192

ATTENTION: Planning Commission, Agenda of July 13, 2006

SUBJECT: 3721 SUNSET LANE TENTATIVE MAP- PROJECT NO. 83724

OWNER: W & M Properties, LLC (Attachment 8)

APPLICANT: Melissa Cooper

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map to convert 30 apartment units into condominiums and the request to waive the requirement to underground existing overhead utilities?

Staff Recommendation: APPROVE Tentative Map No. 268613 and APPROVE the request to waive the requirement to underground existing overhead utilities.

Community Planning Group Recommendation: On April 6, 2006 the San Ysidro Planning and Development Group voted 12-1-0 to recommend approval of the Tentative Map with recommendations (Attachment 7).

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, 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 17, 2005.

Fiscal Impact Statement: All costs associated with the processing of this application are paid for by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: The proposed project is the conversion of 30 existing apartment units into condominiums. There would be a loss of 30 rental units and a gain of 30 for-sale units. This condominium conversion project is required to comply with the inclusionary housing requirements and tenant relocation assistance program, which are conditions of the proposed Tentative Map (Attachment 6). The applicant has chosen to pay in-lieu fees in the amount of \$ 63,750 and provide one Affordable Unit on-site in accordance with the City's Inclusionary Housing Ordinance.

BACKGROUND

The 1.02 acre site is located at 3721– 3127 Sunset Lane and is located within the RM-1-1 zone within the San Ysidro Community Planning area. The development is located on a single parcel designated multi-family residential (Attachment 2). The surrounding area is developed with residential developments to the north, south, east, and west.

The complex was constructed in 1985 and consists of three, wood frame, stucco exterior residential buildings and a 750 square foot laundry room. The complex was in conformance with the development codes in effect at the time of construction

DISCUSSION

Project Description:

The project proposes to convert the existing 30 apartments into condominiums. There are no reported zoning or code violations associated with the property. The existing multi-unit complex provides 48 parking spaces where 60 are required by current zoning regulations. The project consists of 30 two -bedroom, 850 square feet units.

Project-Related Issues:

The proposed condominium conversion will represent a change in ownership of each unit. The applicant has provided City staff with copies of the required 60-day Notice of Intent to Convert to Condominiums (Attachment 10) and a Tenant Benefits Summary Notification for Condominium Conversion (Attachment 11).

All condominium conversion projects deemed complete on or 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. The applicant has chosen to pay in -lieu fees in the amount of \$ 63,750 and provide one Affordable Unit on-site in accordance with the City's Inclusionary Housing Ordinance. The proposed project is not subject to Municipal Code changes related to condominium conversion adopted by the City Council on March 9, 2006 and June 13, 2006.

Community Plan Group Discussion:

On April 6, 2006, the San Ysidro Planning and Development Group voted 12-1-0 to recommend approval of the Tentative Map with one recommendation that project provide on-site affordable housing instead of paying an in-lieu fee.

The applicant acknowledges the recommendation and has agreed to offer one on-site affordable unit affordable to households at or below 100-percent area median income, and pay 100-percent of the in-lieu fee of \$63,750.

Undergrounding Waiver Request

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, in that the conversion involves a short span of overhead facility (less than 600 feet in length) and it has been determined that such conversion is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area. Power lines run east to west along Sunset Lane. The overhead lines continue for some distance beyond the project location. The City's Undergrounding Master Plan for Fiscal Year 2006 designates the site within Block 8v. Proposed construction to underground the existing overhead utilities has been scheduled for 2023 (Attachment 13).

CONCLUSION:

A "Tentative Map for a Condominium Conversion" is a Process Four, Planning Commission decision pursuant to 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. Staff has reviewed the proposed condominium conversion and found it to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and land use policies. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code regulations and requirements. Staff recommends approval of the project as proposed.

ALTERNATIVES

1. Approve Tentative Map No. 268613 with modifications.
2. Deny Tentative Map No. 268613 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

**Mike Westlake
Program Manager
Development Services Department**

**William Zounes
Customer Support and
Information Division
Development Services Department**

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. 60-Day Notice
11. Summary of Tenant Benefits
12. Proposed Undergrounding of Overhead Utilities
13. Photos of Existing Front and Rear Elevations