

**DATE ISSUED:** January 18, 2007 **REPORT NO. PC-07-016**

**ATTENTION:** **Planning Commission, Agenda of January 25, 2007**

**SUBJECT:** 9669 GOLD COAST VESTING TENTATIVE MAP, PROJECT NO. 93512, PROCESS FOUR

**OWNERS:** Upper Parklane LP, Owner (Attachment 9)

**APPLICANT:** San Diego Land Surveying and Engineering, Inc., Engineer

**SUMMARY**

**Issue:** Should the Planning Commission approve a Vesting Tentative Map for the conversion of 92 existing residential units to condominiums at 9669 Gold Coast Drive, within the Mira Mesa Community Plan area?

**Staff Recommendations:**

1. **Approve** Vesting Tentative Map No. 301392; and
2. **Approve** waiver to the requirement to underground existing overhead utilities.

**Community Planning Group Recommendation:** The project was heard by the Mira Mesa Community Planning Group on June 19, 2006. A motion was made to recommend approval of the project by a vote of 12-2 with no conditions (Attachment 7).

**Environmental Review:** This project was exempted from environmental review pursuant to Article 19, Section 15301(k), Existing Facilities, of the California Environmental Quality Act (CEQA) on February 8, 2006, and the opportunity to appeal that determination ended February 23, 2006.

**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 92 existing apartments to condominiums, there would be a loss of 92 rental units and a gain of 92 for-sale units. This condominium conversion project was deemed complete on January 24, 2006, and is therefore subject to the regulations regarding Inclusionary housing and tenant relocation assistance. Nine units will be affordable to households earning no more than 100% of the Area Medium Income (AMI).

## **BACKGROUND**

This Vesting Tentative Map project is subject to the condominium conversion regulations effective on June 13, 2006, with the exception of the parking regulations, based on the City Council's specific adoption language for the "new" condominium conversation regulations. At the June 13, 2006 hearing, the City Council adopted the regulations for additional requirements for landscaping, a building conditions report, onsite Inclusionary housing, noticing and parking. Based on the adopted language and project timing, all of these new regulations apply to this project, with the exception of the parking regulations. Accordingly, this project has been reviewed against the new regulations and this project can proceed to the discretionary hearing.

The 3.934 acre site is located at 9669 Gold Coast Drive in the AR-1-1 Zone within the Mira Mesa Community Plan Area (Attachment 3). The project site is located at the southwest corner of Maya Linda Road and Gold Coast Drive and is presently developed with six, two-story buildings. The buildings contain a mixture of one-bedroom, two-bedroom and three-bedroom units. The site contains a total of 24 one-bedroom units, 55 two -bedroom units, and 13 three-bedroom units. There are a total of 141 parking spaces provided on the site. The parking spaces on site are provided within surface parking spaces throughout the site. The parking spaces on site are accessed through interior roadways within the development.

The current buildings on site were constructed in 1976 when the site was zoned R-3. The R-3 zone allowed a maximum of 171 dwelling units on the project site and required 141 parking spaces. The project currently supports 92 units and 141 off-street parking spaces. The project site is currently zoned AR-1-1, which is an agricultural-residential development zone that would allow 1 dwelling unit per 10 acre lot for new development on vacant land. This Vesting Tentative Map is for a change in ownership only for the 92 existing residential units. Current parking regulations would require 176 off -street parking spaces. The development complies 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. Surrounding uses include single- and multi-family development to the south, east and west, with Miramar College to the north.

## **DISCUSSION**

### **Project Description:**

The project proposes a Vesting Tentative Map for the subdivision of a 3.934 acre site to convert 92 existing dwelling units into condominiums on one existing lot (Attachment 5). The applicant is also requesting that the requirement for the undergrounding of existing overhead utilities be waived.

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.

### **Undergrounding of Existing Utilities**

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 involves a short span of overhead facility (less than 600 feet in length), the conversion is a requirement of a condominium conversion of an existing development and the conversion would not represent a logical extension to an underground facility.

The applicant will be required to underground all existing service to the site per Condition No. 21 of the draft Vesting Tentative Map resolution (Attachment 6). The applicant would also be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 14 of the draft Vesting Tentative Map resolution (Attachment 6).

The neighborhood currently contains power poles and overhead utility lines along the public right-of-way for Gold Coast Drive. The utility lines to these poles extend to other properties located north and east of the property. The poles closest to this property, which carries the lines serving this site, are located within the Gold Coast Drive right-of-way. As indicated above, all utilities serving this property will be required to be undergrounded. The waiver is being requested for the requirement to underground adjacent utilities serving the surrounding properties.

### **Community Planning Group and Neighborhood Recommendations:**

On June 19, 2006, the Mira Mesa Community Planning Group voted 12-2 to recommend

approval of the proposed project with no conditions(Attachment 7). The applicant's proposed schematic rendering presented to the Mira Mesa Community Planning Group is attached (Attachment 8).

**Project-Related Issues:**

All condominium conversion projects not yet heard by July 25, 2006, must conform with the current regulations regarding: Inclusionary housing, tenant relocation benefits, the provision of a building conditions report, conformance with landscape regulations, and conformance with noticing requirements. This project is not required to conform with the new parking regulations for condominium conversions, based on specific language adopted by the City Council.

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 February 3, 2006 (Attachment 11).

**Inclusionary Housing Ordinance and Tenant Relocation Benefits Conformance:**

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 agreed to provide nine units affordable to and sold to households earning no more than 100% of the area median income (AMI).

**Building Conditions Report and Landscape Requirements**

In accordance with the current regulations, the applicant provided a Building Conditions Report and Landscape Concept Plan. Both of these documents have been reviewed for conformance with the applicable regulations within Land Development Code (Chapter 14, Article 4, Division 5) and have been accepted by staff as conforming with the regulations. The list of required improvements from the staff-approved Building Conditions Report is attached (Attachment 12).

**Noticing**

The proposed project has been conditioned to conform with all new noticing requirements for condominium conversions.

**Conclusion:**

Staff has reviewed the request for a Vesting Tentative Map for the conversion of 92 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 Vesting Tentative Map No. 301392with modifications.**
2. **Deny Vesting Tentative Map No. 301392if 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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**Laura C. Black  
Development Project Manager  
Development Services Department**

WESTLAKE/LCB

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Vesting Tentative Map
6. Draft Map Conditions and Subdivision Resolution
7. Community Planning Group Recommendation
8. Applicant's proposed schematic presented to Community Planning Group
9. Ownership Disclosure Statement
10. Project Chronology
11. Copy of 60-Day Notice of Intent to Convert, dated February 3, 2006
12. List of required improvements from Building Conditions Report