



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** May 3, 2007      **REPORT NO. PC-07-050**

**ATTENTION:** Planning Commission, Agenda of May 10, 2007

**SUBJECT:** CANYON VIEW TENTATIVE MAP  
PROJECT NO. 90633 PROCESS FOUR

**OWNER:** Wayne R. Green, Trustee of the Wayne R. Green Trust  
**APPLICANT:** Leppert Engineering Company

### SUMMARY

**Issue(s):** Should the Planning Commission approve a Tentative Map for the conversion of 183 existing residential units to condominiums at 7077-7175 Navajo Road, within the Navajo Community Planning Area?

**Staff Recommendation:**

Approve Tentative Map No. 290645.

**Community Planning Group Recommendation:** The Navajo Community Planning Group has no official position on this project. On February 27, 2006, the planning committee's motion to approve the project failed by a vote of 6-7-0.

**Environmental Review:** On January 4, 2006, this project was exempted 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 January 6, 2006, and the opportunity to appeal that determination ended January 19, 2006.

**Fiscal Impact Statement:** None with this action. All costs associated with the processing of this application are paid for by the applicant.

**Code Enforcement Impact:** None with this action.

**Housing Impact Statement:** With the proposed conversion of the 183 existing apartments to condominiums, there would be a loss of 183 rental units and a gain of 183 for-sale units. This condominium conversion project was deemed complete on December 6, 2005, and is therefore subject to the inclusionary housing ordinance and tenant relocation assistance.

## **BACKGROUND**

The 6.31 acre site is located at 7077-7175 Navajo Road in the CC-1-3 Zone within the Navajo Community Plan (attachment 2). The site is presently developed with 183 units: 98 one-bedroom units and 85 two-bedroom units. The zoning on the site in 2000-2001 was RM-2-5, one unit per 1500 square feet of lot area. The site is governed by PCD 99-0075 and the six, three-story buildings on site were constructed in 2000-2001. The approved PCD# 99-0075 is conditioned to provide no less than 325 parking spaces on site and there are 325 parking spaces on site. The development complied with the zoning and development regulations in effect at the time of construction and no Building or Zoning code violations are recorded against the property.

## **DISCUSSION**

### **Project Description:**

The project proposes a Tentative Map for the subdivision of a 6.31-acre site to convert 183 apartments into condominiums on one existing lot.

Section 125.0401 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 Map and Condo Conversions*, the decision maker may approve a Tentative Map for the conversion of residential units into condominiums if the decision maker finds that the proposed project complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed project for condominium conversion and has determined that it complies with Subdivision Map Act and the San Diego Municipal Code.

Existing utilities have already been undergrounded in this area. The applicant will be required to underground any new service run to any new or proposed structures within the subdivision as conditioned in the draft Tentative Map resolution.

**Community Plan Analysis:**

The Navajo Community Plan designates the site for commercial use, however residential development is allowed in commercially designated properties where zoning allows residential uses. The allowable residential density for the site is 10-43 dwelling unit's per acre. The 6.3 acre site is built to 29 dwelling unit's per acre.

**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 December 13, 2005.

Condominium conversion projects deemed complete on or after February 7, 2004, must conform with the regulations regarding inclusionary housing and tenant relocation benefits. The project has been conditioned to require the subdivider to 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 \$418,317.50 to satisfy the Inclusionary Housing requirement, as allowed by the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

This Tentative Map project is not subject to the new condominium conversion regulations based on an opinion provided by the City Attorney.

**Conclusion:**

Staff has reviewed the request for the Tentative Map for the conversion of the 183 residential units into condominiums and it was determined that the project is in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps. Staff believes that the required findings can be supported and recommends that the Planning Commission approve the proposed project.

**ALTERNATIVES**

1. **Approve Tentative Map No. 290645, with modifications.**
2. **Deny Tentative Map No. 290645, 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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Kathy Henderson  
Development Project Manager  
Development Services Department

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Chronology
6. Ownership Disclosure Statement
7. Copy of letter from City Attorney M. Aguirre
8. Community Planning Group Recommendation & Minutes
9. Copy of Recorded Permit PCD 99-0075
10. Tentative Map
11. Draft Map Conditions and Resolution
12. 60-day Notices of Intent to Convert to Condominiums