



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: May 29, 2008 **REPORT NO. PC-08-058**

ATTENTION: Planning Commission, Agenda of June 5, 2008

SUBJECT: COSTA VERDE SOUTH TENTATIVE MAP; PROJECT NO. 71257
PROCESS FOUR

OWNER: Costa Verde Developers, LLC (Attachment 8)

APPLICANT: Hunsaker and Associates San Diego, Inc.

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map to allow the conversion of 606 existing residential rental units into condominiums at 8510-8550 Costa Verde Boulevard, within the University Community Plan area?

Staff Recommendation:

Approve Tentative Map No. 216966.

Community Planning Group Recommendation: On January 10, 2006, the University Community Planning Group voted 10-2-0 to approve the project without conditions (Attachment 7).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301, on June 16, 2005, and the opportunity to appeal that determination ended June 30, 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 606 existing apartments to condominiums, there would be a loss of 606 rental units and a gain of 606 for-sale units. The project is subject to the current inclusionary housing and tenant relocation assistance regulations. This project is required to set aside ten percent of the units for households earning 100 percent of the Area Median Income, or less.

BACKGROUND

This Tentative Map project is subject to the condominium conversion regulations that became effective June 13, 2006, with the exception of the parking regulations, based on the City Council's specific adoption language for the "new" condominium conversion regulations. At the June 13, 2006, hearing, the City Council adopted 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 its discretionary hearing.

The 8.6-acre site is located at 8510-8550 Costa Verde Boulevard, which is bounded by Nobel Drive to the south, Regents Road to the west, Costa Verde Boulevard to the east and Plaza de Palmas to the north. The project site is located in the RS-1-14 Zone, within the University Community Plan area (Attachment 2). The site is presently developed with five, four-story structures and the majority of the 1,272 parking spaces provided onsite are located in subterranean parking garages located underneath the buildings. The 606 residential units consist of 283 one-bedroom units, 303 two-bedroom units and 20 three-bedroom units. The site is bordered by multi-family residential development on all sides.

The project site is regulated by Planned Residential Development (PRD) Permit No. 91-0452, which allowed the construction of this 606-unit multi-family residential complex and the construction of a related contiguous project called Costa Verde North. Both of these projects have the same landowner and are being processed separately as two condominium conversion Tentative Map projects. The Costa Verde North Tentative Map is Project No. 71264 and is also scheduled for the June 5, 2008, Planning Commission agenda.

The PRD Permit was approved January 15, 1992, in accordance with the Costa Verde Specific Plan, and this portion of the project was constructed with approved building permits between 1998 and 1999. The site is currently zoned RS-1-14, which is a single-family residential zone that allows one dwelling unit per lot. The Community Plan designates the site for residential development at a rate of 30 to 45 dwelling units per acre. Although the existing density exceeds that which would be allowed today, the project conforms with the conditions and density allowances described in PRD Permit No. 91-0452, which was approved for the site.

The approved PRD Permit required two parking spaces per unit, for a total of 1,212 parking spaces required for this project (606 units x 2 spaces = 1,212 spaces). The project as constructed provides 1,272 parking spaces, which is 60 more spaces than is required. As approved, the two-space per unit ratio included a guest parking component, with the guest parking dispersed among the entire Costa Verde North and South project sites. Therefore, when the parking is calculated individually for each of these two related condominium conversion projects, this project shows 60 extra parking spaces and the related Costa Verde North project shows a shortage of 14 parking spaces. The overall parking requirement for the two projects combined is 2,512 spaces (1,256 units x 2 spaces = 2,512 spaces) and a total of 2,560 parking spaces are provided, for an overall parking surplus of 48 spaces.

The parking provided for this 606-unit project also conforms with the current condominium conversion parking requirement of 692 spaces, however, these parking regulations do not apply to this project as discussed previously in this report.

The development complies with the zoning, development regulations and approved PRD Permit in effect at the time of construction and no Building or Zoning code violations have been recorded against the property. The project maintains previously conforming rights which allows the current parking and density count, as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code.

DISCUSSION

Project Description:

The project proposes a Tentative Map for the subdivision of an 8.6-acre site into one lot to convert 606 existing dwelling units into condominiums (Attachment 5). 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 or a Vesting Tentative Map for the purposes of the conversion of residential property into a condominium project if the decision maker 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:

On January 10, 2006, the University Community Planning Group voted 10-2-0 to approve the project without conditions (Attachment 7).

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 August 19, 2004 (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.

Condominium conversion projects of twenty or more units are required to satisfy the inclusionary housing requirements on-site in accordance with Section 142.1306 of the San Diego Municipal Code. Prior to the recordation of the Final Map, the Subdivider must enter into an agreement with the San Diego Housing Commission to assure that the 10% of the affordable units are sold at restricted prices to eligible households.

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.

Noticing

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

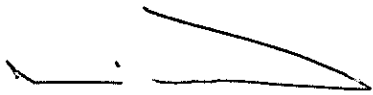
Conclusion:

Staff has reviewed the request for a Tentative Map for the conversion of 606 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. 216966, with modifications.**
2. **Deny Tentative Map No. 216966, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department

WESTLAKE/PG



Paul Godwin
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. Tentative Map
6. Draft Map Conditions and Subdivision Resolution
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Chronology
10. Sample 60-Day Notice of Intent to Convert
11. Photos of Existing Elevations
12. Building Conditions Report (under separate cover)