



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: May 29, 2008 **REPORT NO. PC-08-059**

ATTENTION: Planning Commission, Agenda of June 5, 2008

SUBJECT: COSTA VERDE NORTH TENTATIVE MAP; PROJECT NO. 71264
PROCESS FOUR

OWNER: Costa Verde North Village, 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 651 existing residential rental units into condominiums at 8720-8950 Costa Verde Boulevard, within the University Community Plan area?

Staff Recommendation:

Approve Tentative Map No. 216983.

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 10, 2005, and the opportunity to appeal that determination ended June 24, 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 651 existing apartments to condominiums, there would be a loss of 651 rental units and a gain of 651 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 9.17-acre site is located at 8720-8950 Costa Verde Boulevard, which is bounded by Plaza de Palmas to the south, Regents Road to the west, Costa Verde Boulevard to the east and La Jolla Village Drive 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 four, four-story structures and the majority of the 1,288 parking spaces provided onsite are located in subterranean parking garages located underneath the buildings. The 651 residential units consist of 331 one-bedroom units, 308 two-bedroom units and 12 three-bedroom units. The site is bordered by multi-family residential development to the west, east and south and commercial development to the north.

The project site is regulated by Planned Residential Development (PRD) Permit No. 91-0452, which allowed the construction of this 651-unit multi-family residential complex and the construction of a related contiguous project called Costa Verde South. Both of these projects have the same landowner and are being processed separately as two condominium conversion Tentative Map projects. The Costa Verde South Tentative Map is Project No. 71257 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 1999 and 2000. The site is currently zoned RS-1-14, which is a single-family residential zone that allows one 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 1,302 parking spaces required for this project (651 units x 2 spaces = 1,302 spaces). The project as constructed provides 1,288 parking spaces, is 14 spaces short of this requirement, however, the related Costa Verde South project has 60 more spaces than is required. The two-space per unit ratio included a guest parking component and when the project is considered in conjunction with the related Costa Verde South project immediately south of this site, the parking provided complies with the approved PRD Permit.

This project provides 1,288 parking spaces and the related Costa Verde South project provides 1,272 parking spaces, for a total of 2,560 parking spaces. A total of 1,256 residential units are provided between Costa Verde North and South, for a total of 2,512 required parking spaces under the original PRD Permit (1,256 units x 2 spaces = 2,512 spaces). Therefore, when this project is considered with the related Costa Verde South project, the 2,560 parking spaces provided between these two projects exceeds the 2,512-spaces required under the approved PRD Permit by 48 spaces.

The parking provided for this 651-unit project also conforms with the current condominium conversion parking requirement of 734 spaces, however, these parking regulations do not apply to this project as discussed above.

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. 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 9.17-acre site into one lot to convert 651 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 31, 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 651 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. 216983, **with modifications.**
2. **Deny** Tentative Map No. 216983, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Paul Godwin
Development Project Manager
Development Services Department

WESTLAKE/PG

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)