

DATE ISSUED: January 20, 2005 **REPORT NO. PC-05-024**

ATTENTION: **Planning Commission, Agenda of January 27, 2005**

SUBJECT: JUDSON STREET TENTATIVE MAP-PROJECT NO. 33525
PROCESS FOUR

OWNER/ LV-45 Limited Liability Corporation (Attachment 8)

APPLICANT: **Keith Mullin, Floit Homes, INC.**

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map for the conversion of forty-five(45) existing residential units to condominiums on a 3.04 acre site at 2205 Judson Street within the Linda Vista Community Plan area?

Staff Recommendation:

1. **Approve** Tentative Map No. 92646.

Community Planning Group Recommendation: On May 24, 2004, the Linda Vista Community Planning Committee voted 9 to 2 to recommend approval of the Tentative Map application (Attachment 7).

Environmental Review: This project is exempt from environmental review pursuant to Article 19, Section 15301(k), Existing Facilities, of the California Environmental Quality Act (CEQA).

Fiscal Impact: 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 the forty-five(45) existing apartments to condominiums, there would be a loss of forty-five(45) rental units and a gain of forty-five(45) for-sale units. This condominium conversion project is required to comply with the Inclusionary Affordable Housing Ordinance and tenant relocation assistance which have been included as a condition of the Tentative Map. The subdivider

has elected to pay the In-Lieu Fee to satisfy the Inclusionary Affordable Housing Ordinance.

BACKGROUND

The 3.04 acre site is located at 2205 Judson Street between Hanford Drive and State Route 163 in the RM-1-1 zone, within the Linda Vista Community Plan area, which designates the site for Low-Medium Density 9-15 dwelling units per acre. (Attachment 2). The site is presently developed with four, three story structures containing thirty-three(33)-two bedroom and twelve(12)-three bedroom apartment units; one(1) two story building containing seven garages on the ground level with recreation and workout facilities on the second level; and one structure containing ten garages. The site provides a total of 120 off-street parking spaces for the 45 residential units. The utilities for this site have been undergrounded. There is no request to underground the utilities.

The existing improvements were constructed in 1989 when the site was zoned R-2. The R-2 zone allowed one unit per 3,000 square feet of lot area and permitted the forty-five(45) units on this 132,422.40 square foot site. All development is assumed to have complied with the zoning and development regulations in effect at the time of construction. No Building or Zoning Code violations have been recorded against the property.

The project has previously conforming rights to be maintained 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 a 3.04-acre site to convert 45 existing dwelling units into condominiums on one lot (Attachment 3).

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.

Community Plan Analysis:

The Linda Vista Community Plan designates this site as Multi-Family Residential, low-medium density 9-15. The site is within an area developed with single family development to the west,

north, south and State Route 163 to the east. No physical changes to the buildings or site are being proposed with this condominium conversion.

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 Notice of Intent to Convert to Condominiums was provided to the tenants on June 3, 2004(Attachment 10).

This project was Deemed Complete on April 28, 2004. All condominium conversion projects Deemed Complete 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 property owner has opted to pay the in-lieu fee established by the Inclusionary Housing Ordinance rather than providing affordable units on site. Based on the date the project was deemed complete and the number of units, the in-lieu fee for this project is calculated at \$1.00 per square foot of gross floor area (excluding garages). The gross floor area for this project is 33,369 square feet. The in-lieu fee will be \$33,369.00. Relocation benefits will be based on a Housing Commission tenant survey anticipated to be conducted after the approval of the tentative map and prior to the recordation of the final map. Both the in-lieu fee and the relocation assistance are conditions of the Tentative Map Resolution.

Community Group Recommendation:

On May 24, 2004, the Linda Vista Community Planning Group voted to approve the project. The motion to approve passes 9-2 with the condition that the project meets all City requirements of permits and zoning.

Conclusion:

Staff has reviewed the request for a Tentative Map for the conversion of forty-five(45) 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 required findings can be supported and recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. **Approve Tentative Map No. 92646, with modifications.**
2. **Deny Tentative Map No. 92646, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

**Marcela Escobar-Eck
Deputy Director, Project Management Division
Development Services Department**

**Helene Deisher
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 Exhibit
6. Draft Map Conditions and Subdivision Resolution
7. Community Planning Group Recommendation and Minutes
8. Ownership Disclosure Statement
9. Project Chronology
10. Copy Of Tenant Notice and Certification