

DATE ISSUED: March 10,2005 REPORT NO. PC-05-075

ATTENTION: Planning Commission, Agenda of March 17, 2005

SUBJECT: VILLA DE ORO TENTATIVE MAP- PROJECT NO. 47059
PROCESS 4

**OWNER/
APPLICANT:** Walter and Tamara Novick, David and Robin Pepper,
Jim Neil

SUMMARY

Issue(s): Should the Planning Commission approve an application for a Tentative Map to convert 52 apartments into condominiums?

Staff Recommendation:

1. APPROVE Tentative Map No. 133378.
2. WAIVE the requirement to underground existing overhead utility lines.

Community Planning Group Recommendation: On September 13, 2004, the Golden Hill Community Planning Committee indicated that they do not take a position on condominium conversions and therefore a recommendation was not made (Attachment 7).

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

Fiscal Impact Statement: All costs associated with the processing of this application are paid for by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: The proposed project is the conversion of 52 existing apartment units into condominiums. There would be a loss of 52 rental units and a gain of 52 for-sale units. This condominium conversion project is required to comply with the inclusionary housing and tenant relocation assistance program, which are conditions of

the proposed Tentative Maps for Condominium Conversions (Attachment 6). The applicant has chosen to pay in-lieu fees in place of designating ten percent of the units as Affordable Units in accordance with the City's Inclusionary Housing Ordinance.

BACKGROUND

The developed 1.3-acre site is located at 2722-2782 B Street within the Golden Hills Community areaPlan. The site is designated residential with a density range of 15-29 dwelling units per acre (Attachment 2). The site is zoned GH-1500 within the Golden Hills Planned District. The surrounding area is developed with multi-family developments to the north and south, a single family development to west, and commercial development to the east. The site is currently developed with a 52-unit apartment complex. The complex was constructed in 1985 and consist of eight, two story wood frame construction and stucco buildings. The roofs are pitched with composite shingle. The perimeter and parking areas of the development are landscaped with ground cover, trees and shrubs. A childs play area (Tot Lot) and barbeque area are located within the development.

DISCUSSION

Project Description

The project proposes to convert the existing 52 apartments into condominiums. There are no zoning or code violations associated with the property. Although the existing multi-unit complex does not meet the current parking or density requirements, it will maintain previously conforming rights in accordance with Chapter 12, Article 7, Division 1 of the San Diego Municipal Code (SDMC).

The project consists of one, two and three-bedroom dwellings ranging in size from 570 square feet to 1,015 square feet. Each unit has a dishwasher, stove and refrigerator, and coin operated laundry rooms are available on site.

Project Related Issues:

The proposed condominium conversion will represent a change in ownership of each unit. The applicant has certified that the required 60-day Notice of Intent to Convert to Condominiums to the tenants was mailed to existing tenants in March of 2004. A Notice of Intent to Convert to Condominiums to prospective occupant(s) 60-day notice has been served to all new tenants subsequent to March of 2004.

All condominium conversion projects Deemed Complete on or after February 7, 2004, must conform to the new regulations regarding inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. Conditions Nos. 11 and 12 in the draft Tentative Map resolution require compliance with this ordinance (Attachment 6).

Undergrounding Waiver Request

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver of the

requirement to underground the existing overhead utilities within the boundary of the parcel or subdivision. Staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, Underground Conversion of Utility Lines at the Developers Expense, in that it involves a span of under 600 feet, the conversion would represent an isolated undergrounding with a minimum probability of extension in the future, and would not represent a logical extension to an undergrounding facility. The project's implementation requires the undergrounding of any new utilities to any new or proposed structures within the parcel or subdivision, per condition 5 of the draft resolution (Attachment 6).

The project currently contains overhead utility lines which traverse from two power poles located on B Street and along the alley adjacent to the development. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 8A. Proposed construction to underground the existing overhead utilities has been set for 2007 (Attachment 11).

Community Planning Group: As noted above, on September 13, 2004 the Golden Hill Community Planning Committee specified they do not take a position on condominium conversions and therefore a recommendation was not made

Conclusion:

A "Tentative Map for a Condominium Conversion" is a Process Four, Planning Commission decision per San Diego Municipal Code Section 125.0430. A Tentative Map for Condominium Conversion may be approved if the decision maker finds that the proposed division of land complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and found it to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and land use policies. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code regulations and requirements. Staff recommends approval of the project as proposed.

ALTERNATIVES

1. Approve Tentative Map No. 133378 with modifications.
2. Deny Tentative Map No. 133378 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Marcela Escobar-Eck
Deputy Director, Customer Support and
Information Division
Development Services Department

William Zounes
Customer Support and
Information Division
Development Services Department

Attachments:

1. Aerial Photograph Community
2. Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Map Conditions and Subdivision Resolution
6. Tentative Map
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Chronology
10. 60-day Notice Sample
11. Propose Utility Undergrounding