

**CITY OF SAN DIEGO
M E M O R A N D U M**

DATE: May 6, 2005

TO: Planning Commission

FROM: William Zounes, Development Project Manager

SUBJECT: Casa Del Sol Project Number 49933 – Continuance from April 7, 2005
Planning Commission Hearing

On March 17, 2005 the Planning Commission heard the above referenced project and continued the item to April 7, 2005 in order to allow the applicant to return with information which addressed the Encanto Neighborhoods Community Planning Committees' concerns. On April 7, 2005 the applicant requested that the project be continued to a future date in order to continue working with the Encanto Neighborhoods Community Planning Committee regarding the committees' concerns. The Planning Commission granted the continuance to May 12, 2005. The items below are the concerns and suggestions identified by the Encanto Neighborhoods Community Planning Committee:

1. Convert one or two units to a community room for the residents.
2. Create adequate yard space for children to play in.
3. Upgrade the units to comply with new Title 24 standards for energy-efficiency.
4. Rewire and replumb the buildings to meet current building standards.
5. Contact the Housing Commission regarding the possibility of subsidizing project costs.
6. Permit the current tenants to remain in their units for up to six months and provide relocation assistance that compensates them for their moving expenses and rent increases for a year.

DISCUSSION

Project Description

The project continues to propose the conversion of 22 apartments to condominiums. There has been no change to the project since the March 17, 2005 hearing.

For detailed information regarding site location as well as history of the previous hearings, please refer to Attachment 1, Planning Commission Report No. PC-05-078 dated September 30, 2003 and Attachment 2, City of San Diego Memorandum dated April 7, 2005.

Community Planning Committee Issues

The items below are the issues identified by the Encanto Neighborhoods Planning Committee and the applicant's response.

1. Convert one or two units to a community room for the residents.

The owner has stated that he would be willing to convert a 500 square-foot management office into a community room (Attachment 6).

2. Create adequate yard space for children to play.

The owner has indicated that the property does not have available space to install a tot lot or a child's play area (Attachment 6).

3. Upgrade units to comply with current Title 24 standards for energy-efficiency.

The City of San Diego does not require that existing buildings be upgraded to Title 24 standards for condominium conversions. However, the owner has stated the project will comply with Title 24 upgrades for the installment of new windows.

4. Rewire and re-plumb to meet new building standards

The City of San Diego does not require existing buildings to replace plumbing and electrical utilities due to a condominium conversion. However, the owner stated that he has done extensive investigations into the buildings' plumbing and electrical composition (Attachment 6). The investigations included a structural engineer survey of the property to determine potential plumbing and electrical problems. In addition, a soils engineer inspected the structures for asbestos and lead tainted paint. All defective utilities and hazardous material will be repaired and replaced prior to the sale of the units.

5. Contact the Housing Commission to subsidize project costs.

The owner stated that he plans to contact the Housing Commission and inquire about programs that help low-income individuals purchase a unit (Attachment 6). Staff has not received any additional information from the owner. However, the owner has indicated that he will offer existing tenants the units at a reduced price than what is offered in the market to non-resident prospective buyers.

6. Permit the current tenants to remain in their units for up to six months and provide relocation assistance that compensates them for their moving and rent increases for a year.

The owner indicated that he will offer tenants new leases at one of his other properties at reduced rates and pay for moving expenses (Attachment 6).

Community Planning Committee Vote

On April 18, 2005 the Encanto Neighborhoods Community Planning Committee voted 6-4-0 to recommend denial of the project without conditions. Staff has not received the written recommendation from the Planning Committee.

CONCLUSION:

A "Tentative Map for a Condominium Conversion" is a Process Four, Planning Commission decision pursuant to 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. 143304 with modifications.
2. Deny Tentative Map No. 143304 if the findings required to approve the project cannot be affirmed.



William Zounes
Development Project Manager
Development Services Department

WJZ/wjz

Attachments:

1. Report to the Planning Commission for March 17, 2005
2. City of San Diego memorandum dated April 7, 2005
3. Encanto Neighborhoods Community Planning Committee letter of concern
4. Draft Map Conditions and Subdivision Resolution Strikeout/Underline
5. Draft Map Conditions and Subdivision Resolution
6. Response letter from owner to Planning Commission

**CITY OF SAN DIEGO
M E M O R A N D U M**

DATE: April 7, 2005

TO: Planning Commission

FROM: William Zounes, Development Project Manager

SUBJECT: Casa Del Sol Project Number 49933 – Continuance from March 17, 2005
Planning Commission Hearing

On March 17, 2005 the Planning Commission heard the subject project and continued the item to April 7, 2005. The Planning Commission directed the applicant to return with information addressing the Encanto Neighborhoods Community Planning Committee's concerns with the subject condominium conversion. The project proposes to convert 22 apartment units to condominiums.

Currently the applicant and the Community Planning Committee are working together to resolve the pending issues. However, the applicant has requested additional time in order to provide the Planning Committee with enough information in order to address their concerns. The applicant has requested that the item be rescheduled to April 28, 2005 (Enclosure 2).

William Zounes
Development Project Manager
Development Services Department

WJZ/wjz

Attachments:

1. Report to the Planning Commission for March 17, 2005 Hearing
2. Additional time request letter from applicant
3. Encanto Neighborhoods Community Planning Committee letter of concern
4. Corrected Draft Map Conditions and Subdivision Resolution Strikeout/Underline

DATE ISSUED: March 10, 2005 REPORT NO. PC-05-078

ATTENTION: Planning Commission, Agenda of March 17, 2005

SUBJECT: CASA DEL SOL TENTATIVE MAP- PROJECT NO. 49933
PROCESS 4

**OWNER/
APPLICANT:** Logan Ventures, L.P.
George Palacios

SUMMARY

Issue(s): Should the Planning Commission approve an application for a Tentative Map to convert 23 apartments into condominiums?

Staff Recommendation: APPROVE Tentative Map No. 143304.

Community Planning Group Recommendation: On December 20, 2004, the Encanto Neighborhoods Community Planning Committee voted 7-3-0 to continue the item. The applicant has stated that he wishes to move forward without a recommendation from the Encanto Neighborhoods Community Planning Committee (Reference discussion section of the report for additional information).

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 23 existing apartment units into condominiums. There would be a loss of 23 rental units and a gain of 23 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 .61-acre site is located at 5021 – 5029 Logan Avenue within the Southeastern San Diego Community Plan. The site is designated residential with a density range of 15-17 dwelling units per acre (Attachment 2). The site is zoned CT-2 within the Southeastern San Diego Planned District. The surrounding area is developed with a variety of mixed uses including multi-family developments to the north and west, a YMCA to the north, single family developments to the south, and commercial developments to the east.

The site is currently developed with a 23-unit apartment complex . The complex was constructed in 1986 and consist of six, two story wood frame construction, stucco buildings. The roofs are pitched with composite shingle. All structures were in conformance with the development codes at the time of construction.

DISCUSSION

Project Description

The project proposes to convert the existing 23 apartments into condominiums. There are no zoning or code violations associated with the property. The existing multi-unit complex does not meet the current parking requirements, however 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 two and three-bedroom dwelling ranging in size from 770 square feet to 1,176 square feet. All utilities to the development and adjacent are currently underground.

Project Related Issues:

The proposed condominium conversion will represent a change in ownership of each unit. The applicant has provided City with copies of the required 60-day Notice of Intent to Convert to Condominiums and a 180-day Notice to Existing Tenants of Intent to convert. The notices were provided to the tenants on March 4, 2004. A Notice of Intent to Convert to Condominiums to prospective occupant(s) has been served to all new tenants subsequent to March 4, 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. 10 and 11 in the draft Tentative Map resolution require compliance with this ordinance (Attachment 6).

Community Plan Group Analysis: On November 15, 2004, the project was scheduled before the

community planning group. At the time, a vote of 13-0-0 was taken to continue the item to December 20, 2004 in order for the applicant to come back to the group with additional information. On December 20, 2004, the community group continued the item a second time. According to Planning Department staff, the applicant made an attempt to address all concerns outlined during the December meeting, however the community group indicated that the information was unsatisfactory and recommended a second continuance. The applicant has advised staff that he chooses to move forward with the project, without a recommendation from the community group.

Conclusion:

A “Tentative Map for a Condominium Conversion” is a Process Four, Planning Commission decision pursuant to 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. 143304 with modifications.
2. Deny Tentative Map No. 143304 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
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. 60-day and 180-day notice example

