

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
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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