

DATE ISSUED: July 14, 2005 **REPORT NO.** PC-05-216
ATTENTION: Planning Commission, Agenda of July 21, 2005
SUBJECT: WATERFRONT TENTATIVE MAP - PROJECT NO. 61067
PROCESS 4.
OWNER/APPLICANT: LDM WATERFRONT, LLC. (Attachment 7)

SUMMARY

Issue(s) - Should the Planning Commission approve a Tentative Map to allow the conversion of thirty-seven existing residential units and four commercial units into condominiums?

Staff Recommendation - APPROVE Tentative Map No. 181035

Community Planning Group Recommendation - The Centre City Advisory Committee (CCAC) recommended approval of the Tentative Map.

Environmental Review - This project is categorically exempt from the California Environmental Quality Act per Article 19, Section 15301(k), Existing Facilities.

Fiscal Impact Statement - None with this action. All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact - There are no Code Enforcement violations associated with this site .

Housing Impact Statement - With the proposed conversion of thirty-seven existing living units and four commercial units into condominiums, there would be a loss of thirty-seven rental units and a gain of forty-one for sale units. This Tentative Map request was deemed complete subject to inclusionary affordable housing and relocation requirements.

BACKGROUND

The 0.80 acre site is located at 949 West Hawthorne Street in the Airport Approach Zone, Mixed-Use/Residential Emphasis District (Attachment 1). The project is in the Little Italy Neighborhood and Zone D of the Centre City Planned District (Attachment 2). The project is surrounded by mix use developments to the west, east, south and to the north (Attachment 3).

On September 27, 1999 building permits were issued for construction of thirty-seven apartments and four commercial units. The project maintains twenty-two off street parking spaces. These buildings are occupied and were permitted under Centre City Development Permit No. 98-1103.

The development complied 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 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 conversion of thirty-seven residential units and four commercial units into condominiums (Attachment 4).

Section 125.0410 of the San Diego Municipal Code requires that a Tentative Map be processed for the subdivision of land. According to San Diego Municipal Code Section 144.0444, Findings for Tentative Maps for Condominium Conversion, the decision maker may approve a 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. Development Services and CCDC staff have reviewed the proposed condominium conversion, and determined that it complies with both the Subdivision Map Act and the Municipal Code.

No underground utilities waivers are being requested with this project. All existing utilities are currently underground.

Condominium Conversion Regulations

The requested conversion of these residential units to condominiums represents a change in ownership.

The applicant has certified that the required 60-day Notice of Intent to Convert to Condominium was provided to the tenants on August 30, 2004 (Attachment 5).

All condominium conversion projects deemed complete on or after February 7, 2004, must

comply with regulations addressing inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. The project was deemed complete on February 2, 2005 and is subject to all Inclusionary Affordable Housing Regulations.

CONCLUSION

Development Services Department staff has reviewed the request for a Tentative Map to convert thirty-seven existing residential units and four commercial units into condominiums. CCDC staff has determined the proposed conversion is consistent with Zone D of the Centre City Planned District. Development Services and CCDC staff have reviewed the proposed condominium conversion and determined the project complies with both the Subdivision Map Act and the Municipal Code. Staff has also determined the required findings can be supported (Attachment 6). Staff recommends the Planning Commission acknowledge the Environmental Exemption and approve Tentative Map No. 181035

ALTERNATIVES

1. Approve Tentative Map 181035with modifications.
2. Deny Tentative Map 181035if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Assistant Deputy Director
Customer Support and
Information Division
Development Services Department

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Attachments:

1. Community Plan Land Use Map
2. Aerial Photo
3. Project Location Map
4. Tentative Map Exhibit
5. 60 Day Notice of Filing Vested Tentative Map for Conversion
6. Draft Tentative Map Resolution
7. Ownership Disclosure Statement
8. Project Data Sheet
9. Project Chronology