

DATE ISSUED: August 18, 2005 **REPORT NO. PC-05-248**

ATTENTION: **Planning Commission, Agenda of August 25, 2005**

SUBJECT: COLIMA LINDA TENTATIVE MAP-PROJECT NO. 70339
PROCESS FOUR

OWNER/ **Mabie and Mintz, Co-Partnership (Attachment 8)**

APPLICANT: **Jim Neil, CB Richard Ellis**

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map for the conversion of 116 existing residential units into condominium units at 7575 Linda Vista Road within the Linda Vista Community Plan area?

Staff Recommendation:

1. **Approve** Tentative Map No. 213461

Community Planning Group Recommendation: On July 26, 2005 the Linda Vista Community Planning Committee voted to approve the request for the Tentative Map. The motion passed 10-4, with conditions.

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 116 existing apartments to condominiums, there would be a loss of 116 rental units and a gain of 116 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 4.01 acre site is located at 7575 Linda Vista Road between Family Circle and Mesa College Drive in the RM-2-5 zone, within the Linda Vista Community Plan area, which designates the site for medium-high density 30-43 dwelling units per acre (Attachment 2). The site is presently developed with six, two story structures, one, single story building, a pool and tennis court. The buildings contain eighty-five one bedroom units and thirty-one, two-bedroom units. The site provides 148 off street parking spaces which is consistent with the previously approved plans on file with Development Services.

The existing improvements were constructed in 1977 when the site was zoned Commercial Office (CO) and permitted one dwelling unit per each 1,500 square feet of lot area. The CO zone would have allowed for 117 units on the 174675.6 square foot site. The 116 existing units are within this density range. 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 4.01-acre site to convert 116 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.

Undergrounding Utilities:

All adjacent overhead utility lines have been previously under-grounded.

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 delivered to the tenants April 20, 2005. Certified receipts of that notice demonstrate receipt by tenant by April 20, 2005 (Attachment 10).

This project was Deemed Complete on April 29, 2005. 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. Conditions No. 10 and 11, in the draft Tentative Map resolution require compliance with this ordinance (Attachment 6).

On July 26, 2005 the Linda Vista Community Planning Committee voted to approve the request for the Tentative Map. The motion passed 10-4, with the condition that the project comply with all city requirements with particular attention to parking (Attachment 7). The project site currently maintains the 148 parking spaces consistent with the previously approved plans on file with Development Services.

Conclusion:

Staff has reviewed the request for a Tentative Map for the conversion of the 116 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. 137239, with modifications.**
2. **Deny Tentative Map No. 137239, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

Jeffery D. Strohminger
Assistant Deputy Director,
Customer Support and Information Division
Development Services Department
STROHMINGER/HMD

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
11. Summary of Tenant Benefits Notice Sample letter and Certification