

DATE ISSUED: November 23, 2005

REPORT NO. PC-05-346

ATTENTION: **Planning Commission, Agenda of December 1, 2005**

SUBJECT: 3710-3720 YONGE TENTATIVE MAP - PENINSULA –
PROJECT No. 65710, PROCESS 4.

OWNER: Van Smith, 3710 Yonge, LLC

APPLICANT: Carlos Alinz, III., Schwerin & Associates

SUMMARY

Issue: Should the Planning Commission approve a Tentative Map to convert 13 existing residential apartment units to condominiums at 3710-3720 Yonge Street, in the RM-3-7 Zone of the Peninsula Community Plan?

Staff Recommendation: APPROVE Tentative Map No. 197126

Community Planning Group Recommendation: The Peninsula Community Planning Board considered the project at their meeting on July 21, 2005 where a motion to recommend approval carried by a vote of 6-3-1 with conditions for slope stabilization and conformance with current parking regulations.

Environmental Review: The project has been determined to be exempt from the California Environmental Quality Act (CEQA) in accordance with the State CEQA Guidelines 15301(k), existing facilities.

Fiscal Impact: The cost of processing this application is paid for by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: The proposed project is the conversion of 13 existing apartment units to condominiums. There would be a loss of 13 rental units and a gain of 13 for-sale units. This project is subject to the Inclusionary Housing Regulations, which are conditions of the proposed Tentative Maps for Condominium Conversions. The applicant proposes to pay an in-lieu fee of \$20,100.50 to the Housing Commission.

BACKGROUND

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.

The developed 17,000 square foot (0.39 acre) site is located at 3710-3720 Yonge Street within the Loma Palisades neighborhood of the Peninsula Community Plan and Local Coastal Program. The land is designated multifamily residential in the community plan at a high density of 30-44 du/ac. The site is zoned RM-3-7 and is not within the coastal zone permit jurisdiction of either the City of San Diego, or the State of California. The site is within the Airport Approach Overlay Zone (AAOZ), and Airport Environs Overlay Zone (AEOZ). The surrounding area contains multifamily and single family development.

DISCUSSION

Project Description: The project proposes to convert the existing 13 apartments to 13 condominiums. The project consists of one, one-bedroom unit (644 square feet), and 12 two-bedroom units (876– 956 square feet) in a three-story building built in 1972 with a total of 11,486 square feet of living area. Current parking requirements for the project, if constructed today, would be 26 spaces. The project was constructed with, and proposes 21 open parking spaces . The project has established previously conforming rights. There are no zoning or code violations associated with the property.

A portion of the project site includes a slope subject to erosion which will be repaired. Site drainage will be reconfigured to drain to the existing drain inlet on the project site connecting to the existing rain and private sewer easement crossing the westerly portion of the project site.

Project-Related Issues:

Municipal Code Conformance – The 13 unit project was built in 1972, by a City issued Building Permit #A00111/Plan File #39008D, when the site was zoned R-4. Under current RM-3-7 zone, 17 units could be constructed on the site (one unit per 1,000 square feet of lot area). The project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code.

The 13 unit project was constructed in 1972 at a density of 33 dwelling units per acre (du/ac). The Peninsula Community Plan established a recommended density for this area at 30 – 44 du/ac. The project is therefore within the recommended density of the community plan.

Airport Environs Overlay Zone (AEOZ) - The project site is within the Airport Environs Overlay Zone (AEOZ) and within the 65 decibel (dB) Community Noise Equivalent Level (CNEL) for Lindbergh Field operations. However, an Avigation Easement is not required pursuant to the Municipal Code at 132.0309 as there is no increase in the number of units.

Noticing - 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 provided to the tenants on May 3, 2005.

Inclusionary Housing - All condominium conversion projects Deemed Complete on or after February 7, 2004 must conform with the new regulations regarding inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. This project was Deemed Complete on April 4, 2005, and is therefore subject to these new regulations.

With their application submittal, the applicant has indicated their decision to pay the in-lieu fee to satisfy these requirements as allowed by these regulations. The project has been conditioned to require the subdivider pay an Inclusionary Affordable Housing In-Lieu Fee of \$20,100.50 based on a \$1.75 fee per residential square footage, pursuant to the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code), and demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the City Manager and the Housing Commission, prior to the recordation of the Final Map.

Conclusion:

Staff has reviewed the request for a Tentative Map for the conversion of 13 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 and Council Policy 600-25 regulating undergrounding of existing overhead utilities. Staff believes the required findings can be supported and recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. Approve Tentative Map No. 199698, with modifications.
2. Deny Tentative Map No. 199698, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Customer Support and Information Division
Development Services Department

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Development Project Manager,
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STROHMINGER/CHW

Attachments:

1. Aerial Photo
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. Undergrounding Schedule
11. Copy of Tenant Notices