

**DATE ISSUED:** December 8, 2005

**REPORT NO. PC-05-365**

**ATTENTION:** **Planning Commission, Agenda of December 15, 2005**

**SUBJECT:** 10940 SCRIPPS RANCH BOULEVARD TENTATIVE MAP -  
PROJECT NO. 67025- PROCESS 4

**OWNER/  
APPLICANT:** Argus Investment Group (Attachment 13)  
Robert Bateman, Surveyor

### **SUMMARY**

**Issue:** Should the Planning Commission approve Tentative Map No. 201850 to convert sixty-six (66) residential units to condominiums on a 2.324-acre site located at 10940 Scripps Ranch Boulevard within the Scripps Miramar Ranch Community Planning area?

**Staff Recommendation:** **Approve** Tentative Map No.201850.

**Community Planning Group Recommendation:** The Scripps Miramar Ranch Community Planning Group met on July 7, 2005 and voted to approve the condominium conversion with the recommendation that two transit passes per residential unit are to be provided for a one year period.

**Environmental Review:** The project is categorically exempt from environmental review pursuant to Article 19, Section 15301(k), Existing Facilities, of the California Environmental Quality Act (CEQA). This project is not pending an appeal of the environmental determination. The environmental exemption determination was made on April 15, 2005, and the opportunity to appeal that determination ended May 6, 2005.

**Fiscal Impact Statement:** None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

**Code Enforcement Impact:** None with this action.

**Housing Impact Statement:** With the proposed conversion of sixty-six (66) existing apartments to condominiums, there would be a loss of sixty-six (66) rental units and a gain of sixty-six (66) for-sale units. The project is subject to the requirements of both the inclusionary housing ordinance and the condominium conversion ordinance. In order to meet the requirements of the inclusionary ordinance, the applicant has indicated they will pay an in-lieu fee. In order to comply with the relocation requirements of the condominium conversion ordinance, a tenant survey will be completed to determine the income levels of the current tenants. Based upon the outcome of the survey, the applicant may be responsible for relocation benefits.

## **BACKGROUND**

The 2.324-acre project site is located at 10940 Scripps Ranch Boulevard. It lies east of Interstate 15, west of Miramar Reservoir, north of Mira Mesa Boulevard, and south of Erma Road. It lies in the CO-1-2 (Commercial-Office) Zone within the Scripps Miramar Ranch Community Plan. The residential project was constructed in 1984 and is developed with sixty-six (66) residential units in four buildings (Attachment 5). The proposed project site lies in a land use area designated as “community shopping” in the Scripps Miramar Ranch Community Plan. The development has been determined to have previously conforming rights over the current Land Development Code (LDC), per San Diego Municipal Code (SDMC) Chapter 12, Article 7.

The surrounding neighborhood includes land use designations of commercial office and multi-family to the north, commercial office to the south and east and multi-family to the west. Existing land uses include multi-family housing to the north and east, and commercial uses to the south and west.

## **DISCUSSION**

### **Project Description:**

There are two (2) one-bedroom and sixty-four (64) two-bedroom units in the project. Each of the four, stucco residential buildings on-site are two-stories and approximately 24 feet in height. Each one-bedroom unit has 497 square feet, and each two-bedroom unit has 865 square feet. There are 105 parking spaces on site and 27 are covered by carport structures with the remaining 78 spaces uncovered. The complex includes a swimming pool and spa. The CO-1-2 Zone in which the proposed project is located allows for a mix of office and residential uses that serve as an employment center.

The project proposes a Tentative Map for the subdivision of a 2.324-acre site to convert sixty-six (66) residential apartment units into condominiums on a single lot (Attachment No. 5). Section 125.0410 of the San Diego Municipal Code (SDMC) requires 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 the proposed conversion complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff reviewed the proposed condominium conversion, and determined it complies with both the Subdivision Map Act and the Municipal Code.

**Project-Related Issues:**

**Condominium Conversion Regulations**

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 mailed to each tenant on March 21, 2005 (Attachments 7 and 8 ). The applicant has also certified that the required “Summary of Tenant Benefits” was mailed to each tenant on August 23, 2005 (Attachments 9 and 10). The applicant has also certified that a copy of the Staff Report for this Condominium Conversion Project has been distributed to all tenants (Attachment 11).

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 proposed project was “Deemed Complete” April 1, 2005, and is therefore subject to these new regulations. The project has been conditioned to require the subdivider to conform with 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.

The Scripps Ranch Community Planning Group met on July 7, 2005 and voted to approve the condominium conversion with the recommendation that two transit passes per residential unit are to be provided for a one year period. City staff, however, cannot enforce this requirement as a condition of the Tentative Map.

**Conclusion:**

Staff has reviewed the request for a Tentative Map for the subdivision of land for the conversion of sixty-six (66) residential apartment units into a condominium project, and found the project is 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. 201850, with modifications.**
2. **Deny Tentative Map No. 201850, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

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**Jeffrey D. Strohminger**  
**Acting Deputy Director**  
**Customer Support and Information Division**  
**Development Services Department**

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**Robert P. Tucker**  
**Development Project Manager**  
**Customer Support and Information Division**  
**Development Services Department**

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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. Certification of "Tenant Notice for Condominium Map" mailing
8. "60 Day Notice Mailed to Tenants" example
9. Certification of "Summary of Tenant Benefits" mailing
10. Summary of Tenant Benefits Mailed to Tenants
11. Certification of "Staff Report for Condominium Conversion Project" distribution
12. Community Planning Group Recommendation
13. Ownership Disclosure
14. Project Chronology