

DATE ISSUED: February 16, 2006

REPORT NO. PC- 06-039

ATTENTION: **Planning Commission, Agenda of February 23, 2006**

SUBJECT: TRIESTE TENTATIVE MAP -
PROJECT NO. 63257 - PROCESS 4

OWNER/ Trieste Apartments, LLC (Attachment 11)
APPLICANT: Joe Gerry, Engineer

SUMMARY

Issue: Should the Planning Commission approve Tentative Map No. 188494 to convert 302 residential units to condominiums on a 6.65-acre site located at 3950 Mahaila Avenue within the University Community Planning area?

Staff Recommendation: **Approve** Tentative Map No. 188494

Community Planning Group Recommendation: The University Community Planning Group met on May 10, 2005 and voted 8-4-0 to approve the condominium conversion with the conditions that the City address the traffic and parking issues and that the project still meets the original land use intent.

Environmental Review: The project is categorically exempt from environmental review pursuant to Article 19, Section 15301, 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 March 18, 2005, and the opportunity to appeal that determination ended April 8, 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 302 existing apartments to condominiums, there would be a loss of 302 rental units and a gain of 302 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 (\$441,975). 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 6.65-acre site is located at 3950 Mahaila Avenue. It lies east of Genessee Avenue, west of Interstate 5, north of Nobel Drive and south of La Jolla Village Drive. It lies in the RM-3-7 Zone within the University Community Plan. The residential project was constructed in 1989 and is developed with 302 residential units in nine(9) buildings (Attachment 5). The proposed project site lies in a land use area designated as “residential” in the University Community Plan.

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

DISCUSSION

Project Description:

There are 202 one-bedroom units and 100 two-bedroom units in the project. Each of the nine stucco residential buildings on-site consists of three stories of residences supported by pillars over surface parking, approximately 50 feet in height. One-bedroom units range from 512 to 929 square feet, two-bedroom units range from 929-1062 square feet, and the 3-bedroom units have 1027 square feet. There are 686 parking spaces on site, including 282 tandem and nine (9) accessible spaces. The complex includes a swimming pool and spa. The RM-3-7 Zone in which the proposed project is located allows for multiple dwelling unit development which shall not exceed one dwelling-unit per 1,000 square feet of lot area.

The project proposes a Tentative Map for the subdivision of a 6.65-acre site to convert 302 residential apartment units into condominiums on five (5) lots (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 144.444, *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 September 8, 2004 (Attachments 7 and 8). The applicant has also certified that a copy of the Staff Report for this Condominium Conversion Project has been distributed to all tenants (Attachment 9).

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" March 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.

Community Group

The University City Planning Group met on May 10, 2005 and voted 8-4-0 to approve the condominium conversion with the recommendation that the City address issues of parking and traffic, and that the project still meets the land use intent. The project has been reviewed by staff and found to provide sufficient parking and internal traffic circulation for the proposed conversion of 302 existing residential rental units into condominiums. The land use is remaining residential in nature and therefore is consistent with the existing residential land use as contained in the University City Community Plan.

Conclusion:

Staff has reviewed the request for a Tentative Map for the subdivision of land for the conversion of 302 existing 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. 188494 with modifications.**
- 2. Deny Tentative Map No. 188494 if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

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

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

HALBERT/RPT

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. Certification of "Tenant Notice for Condominium Map" mailing
8. "60 Day Notice Mailed to Tenants" example
9. Community Planning Group Recommendation
10. Ownership Disclosure
11. Project Chronology

Rev 06-01-05 dcj