

**DATE ISSUED:** May 11, 2006 **REPORT NO. PC-06-113**

**ATTENTION:** **Planning Commission, Agenda of May 18, 2006**

**SUBJECT:** ARCHSTONE LA JOLLA TENTATIVE MAP, PROJECT NO. 53594  
PROCESS FOUR

**OWNERS:** Archstone Smith Operating Trust, Owner (Attachment 8)

**APPLICANT:** Rick Engineering Company, Engineer

**SUMMARY**

**Issue:** Should the Planning Commission approve a Tentative Map for the conversion of 296 existing residential units to condominiums at 8506 Villa La Jolla Drive, within the University Community Plan area?

**Staff Recommendation:** Approve Tentative Map No. 155419

**Community Planning Group Recommendation:** The project was heard by the University Community Planning Group on May 10, 2005. A motion was made to recommend approval of the project by a vote of 12-0 with no conditions (Attachment 7).

**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). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 10, 2005, and the opportunity to appeal that determination ended April 1, 2005.

**Fiscal Impact Statement:** 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 296 existing apartments to condominiums, there would be a loss of 296 rental units and a gain of 296 for-sale units. This condominium conversion project was deemed complete on February 15, 2005, and is therefore subject to the regulations regarding Inclusionary housing and tenant relocation assistance.

## **BACKGROUND**

The 10.85 acre site is located at 8506 Villa La Jolla Drive in the RM-3-7 Zone within the University Community Plan Area (Attachment 3). The project site is located at the northeast corner of Gilman Drive and Villa La Jolla Drive and is presently developed with seven, three-story buildings and eight, two-story buildings, for a total of fifteen detached buildings. The buildings contain a mixture of one-bedroom and two-bedroom units. The site contains a total of 152 one-bedroom units and 144 two-bedroom units. There are 428 resident parking spaces and 207 guest parking spaces, for a total of 635 parking spaces provided on the site. The parking spaces on site are provided within two subterranean garages and surface parking spaces throughout the site. The parking spaces on site are accessed through interior roadways within the development.

The current buildings on site were constructed in 1991 when the site was zoned R-1000. The R-1000 zone allowed a maximum of 296 dwelling units on the project site and required 635 parking spaces, which are provided onsite. The project site is currently zoned RM-3-7, which is a multiple family residential development zone that would allow 473 dwelling units on the site. Current parking regulations would require 635 off-street parking spaces. The development complies 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. Surrounding uses include single- and multi-family development to the north, south, east and west, with commercial uses to the south.

## **DISCUSSION**

### **Project Description:**

The project proposes a Tentative Map for the subdivision of a 10.85 acre site to convert 296 existing dwelling units into condominiums on one existing lot (Attachment 5).

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.

The project site currently has the utilities underground. The applicant will be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 4 of the draft Tentative Map resolution (Attachment 6).

**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 Notices of Intent to Convert to Condominiums were provided to the tenants July 27, 2004 (Attachment 10) and again to tenants on March 1, 2006 (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 on February 15, 2005, and is therefore subject to these regulations. The project has been conditioned to require the subdivider 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.

At the time when the project was submitted for review, the applicant selected to pay the in-lieu fees in accordance with the Inclusionary Housing Ordinance requirements. The applicant is required to pay an in-lieu fee of \$419,083.00 (239,476 SF x \$1.75) as shown in Condition 10 (Attachment 6, page 4 of 7). Upon further review, the applicant decided to discuss providing affordable units on site with the San Diego Housing Commission. The applicant agreed to provide six (6) affordable units on site at prices affordable to households earning no more than 150% Average Median Income (AMI) and to pay the in-lieu fee of \$419,083.00.

**Conclusion:**

Staff has reviewed the request for a Tentative Map for the conversion of 296 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 requirement findings can be supported and recommends the Planning Commission approve the project as proposed.

## **ALTERNATIVES**

1. **Approve** Tentative Map No. 155419**with modifications.**
2. **Deny** Tentative Map No. 155419**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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**Laura C Black**  
**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. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Chronology
10. Copy of 60-Day Notice of Intent to Convert, dated July 27, 2004
11. Copy of 60-Day Notice of Intent to Convert, dated March 1, 2006