

**DATE ISSUED:** July 14, 2005 **REPORT NO.** PC-05-237

**ATTENTION:** Planning Commission, Agenda of July 21, 2005

**SUBJECT:** MOTO VILLAS TENTATIVE MAP - PROJECT NO. 61947. PROCESS FOUR

**OWNER/**

**APPLICANT:** LDM Waterfront, LLC and Moto-Villas, LLC (Attachment 7)

**SUMMARY**

Issue(s) - Should the Planning Commission approve Tentative Map No. 186484 to convert 35 existing residential units and one existing commercial unit to condominiums at G Street, between 9<sup>th</sup> and 10<sup>th</sup> Avenues, in the Centre City Planned District?

Staff Recommendation -

1. APPROVE Tentative Map No. 186484

Community Planning Group Recommendation - The Centre City Advisory Committee recommended approval of the Tentative Map.

Environmental Review - The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301(k), Existing Facilities.

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 35 existing apartments to condominiums, there would be a loss of 35 rentals units and a gain of 35 for-sale units. This Tentative Map request was deemed complete subject to inclusionary affordable housing and relocation requirements.

## **BACKGROUND**

The Centre City Community Plan identifies this site as Mixed Use/Residential Emphasis District (Attachment 1). The site is surrounded by existing development, such as multi-family residential and commercial, in the East Village neighborhood (Attachment 2). The 0.44 acre project site is located north of G Street, between 9<sup>th</sup> Avenue and 10<sup>th</sup> Avenue (Attachment 3), in the CCPD-C zone within the Centre City Planned District.

On August 1998 building permits were issued for construction of six buildings containing 35 apartment units and one retail space. One building is a 9-unit apartment with a retail space. Café Chloe occupies the retail space. There are three buildings with 8-residential units each and two detached buildings with a single-residential unit in each. The Centre City Development Permit requires a minimum of 18 parking spaces. The project has 30 parking spaces being provided and maintained. These buildings are presently occupied. They were constructed and in compliance with Centre City Development Permit Number 98-0340 and Neighborhood Use Permit Number 2004-19, Centre City Sidewalk Café Permit.

The development complied 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. 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 current application proposes a Tentative Map (Attachment 4) to convert the existing 35 existing residential units and one commercial unit to condominiums. Utilities are existing below ground in the public right-of-way. A request to waive the under grounding of utilities has not been requested. No physical changes to the developed site are proposed or will occur should the Planning Commission action be to approve the application.

Section 125.0410 of the San Diego Municipal Code (SDMC) requires a Tentative Map be processed for the subdivision of land. According to SDMC §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 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 it complies with both the Subdivision Map Act and San Diego Municipal Code.

### 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 Condominium was provided to the tenants on August 30, 2004 (Attachment 5).

All condominium conversion projects deemed complete on or after February 7, 2004, must comply with new regulations addressing inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. This proposed project was deemed complete on February 3, 2005, is subject to these regulations and has been conditioned to comply with the requirements.

### CONCLUSION

Staff has reviewed the request for a Tentative Map to convert 35 residential units and one commercial unit 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 has provided draft findings to support approval of the tentative map (Attachment 6) and recommends the Planning Commission approve the project as proposed.

### ALTERNATIVES

1. Approve Tentative Map No. 186484, with modifications.
2. Deny Tentative Map No. 186484, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

---

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

---

Cherlyn Cac  
Development Project Manager  
Customer Support and  
Information Division  
Development Services Department

HALBERT/CTC

Attachments: 1. Community Plan Land Use Map

2. Aerial Photograph
3. Project Location Map
4. Tentative Map
5. 60 Day Notice of Filing Tentative Map for Conversion
6. Draft Map Conditions and Subdivision Resolution
7. Ownership Disclosure Statement
8. Community Planning Group Recommendation
9. Project Data Sheet
10. Project Chronology