

**CITY OF LOMPOC
PLANNING COMMISSION STAFF REPORT**



DATE: OCTOBER 8, 2008
TO: MEMBERS OF THE PLANNING COMMISSION
FROM: GINA LOPEZ, ASSISTANT PLANNER
RE: VESTING TENTATIVE SUBDIVISION MAP– LOM 585
CONDOMINIUM CONVERSION

AGENDA ITEM NO. 1

A request by Angela Carroll, representing the property owner, for Planning Commission review and consideration of a one (1) lot Vesting Tentative Subdivision Map for condominium purposes, converting nine (9) existing rental apartments into nine (9) for-sale condominiums. The property is located at 213 East College Avenue in the *High Density Residential (HDR)* Zoning District (Assessor Parcel Number: 87-132-05). A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

SCOPE OF REVIEW:

The Planning Commission is being asked to consider:

- If the proposed draft Negative Declaration is adequate pursuant to the California Environmental Quality Act (CEQA);
- If the proposed Vesting Tentative Subdivision Map / Condominium Conversion is consistent with the City Zoning Ordinance and meets the requirements of the Subdivision Ordinance;
- If the Conditions of Approval are appropriate for the project; and
- If the required Findings of Fact can be made.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Review the draft Initial Study and certify the Negative Declaration;
- 2) Recommend that the City Council review the draft Initial Study and certify the Negative Declaration; and

- 3) Adopt Resolution No. 622 (08), recommending that the City Council approve LOM 585, the proposed Vesting Tentative Subdivision Map, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.

SITE DATA:

1. Property Owner J B Kane, LLC
2. Site Location 213 East College Avenue
3. Assessor Parcel Number..... 87-132-05
4. Site Zoning High Density Residential (R-3)
5. General Plan Designation High Density Residential
6. Site Use..... Residential
7. Surrounding Uses/Zoning..... North: Residential / R-3, PD
South: Residential / R-3
East: Residential / R-2
West: Residential / R-3, PD

BACKGROUND:

- August 12, 2002 Planning Commission adopted Resolution No. 240 (02) approving Development Plan (DR 02-11) for a 10-unit apartment complex at 213 East College Avenue.
- June 3, 2003 At the applicant's request, a minor modification was reviewed and approved by the Community Development Director, which reduced the total number of units to nine (9) by eliminating one (1) unit from Building B.
- June 29, 2004 A Certificate of Occupancy was issued for the nine (9) unit apartment complex.

PROPOSAL:

The applicant requests a one (1) lot Vesting Tentative Subdivision Map, on an approximately 23,500 square foot parcel, to convert nine (9) existing rental apartments into nine (9) for-sale condominiums. No construction or development is currently proposed. The property is located at 213 East College Avenue in the *High Density Residential (R-3)* Zoning District (Assessor Parcel Number: 87-132-05).

The original construction occurred in 2003 and a Certificate of Occupancy was issued for the nine (9) unit apartment complex on June 29, 2004. There are two (2) existing buildings, each two-stories in height. The building along the westerly property boundary consists of eight (8) separate in-line apartment units, each with a two-car garage. The building along the easterly property boundary consists of one (1) large unit with a four-car garage. All garages are accessed from College Avenue through a common driveway running north to south and terminates on-site. The project will be served by the existing private driveway and will not be gated.

On May 27, 2008, the applicant contacted each tenant at 213 East College Avenue in accordance with state law via U.S. Mail, indicating the property owner's intent to convert the apartments into condominiums.

CONFORMANCE WITH ADOPTED CITY POLICIES:

General Plan:

The General Plan designation for this property is High Density Residential and the stated purpose is:

To provide residential areas which offer convenient pedestrian access to commercial services and give local residents the opportunity to live near employment centers. This designation can also stimulate reinvestment in older-established areas which can accommodate higher densities.

The General Plan outlines several City goals and policies, including the following Housing Element goals and policies:

Goal 1 *Provide a choice of housing opportunities for all economic segments of the community.*

Policy 1.2 *The City shall encourage the dispersion of rental and ownership housing units for very-low to moderate income households throughout the City.*

Policy 1.17 *The City shall support efforts which facilitate home ownership.*

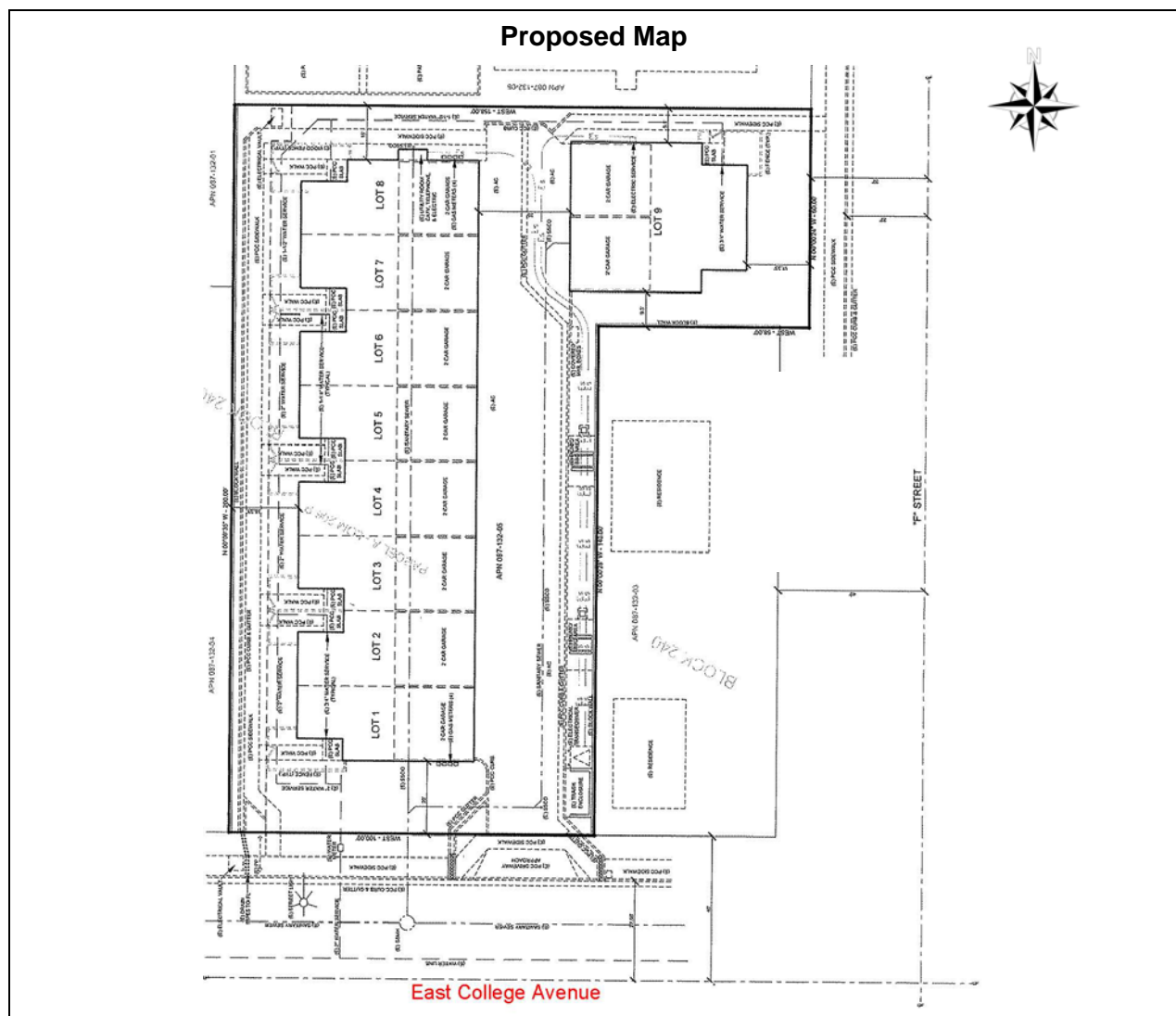
The proposed condominium conversion will provide ownership opportunities consistent with the General Plan goals and policies outlined above. No new construction is proposed at this time. As conditioned, Vesting Tentative Subdivision Map LOM 585 would be in conformance with the General Plan.

Zoning Ordinance:

The zoning of the site is *High Density Residential (R-3)*. The stated purpose is:

Section 7600 Purpose – To stabilize and maintain the residential character of the district for high density apartment living with substantial space for cooperatively used facilities and open spaces.

The recordation of the map will create a site on which nine (9) existing rental apartments will be converted into nine (9) for-sale condominiums units. No changes to the existing buildings on the site are proposed at this time.



Once approved, the Vesting Tentative Subdivision Map expires twenty-four months from the date of approval unless the applicant requests a time extension prior to the expiration. A condition of approval is included to advise the applicant of the map expiration date of October 8, 2010 (COA P4).

Planning Commission review of this project will assure conformance with the Lompoc City Zoning Ordinance. The Planning Commission will review the project and make a recommendation to the City Council as required by Section 2866 of the Subdivision Ordinance.

Subdivision Review Ordinance:

Section 2866.G Standards for Conversion to Condominium contains specific language for the minimum standards required for conversion to condominium:

1. Unit Storage. *At least 100 cubic feet, with a minimum of horizontal service area of 25 square feet of enclosed weather-proofed, lockable storage space shall be provided for each dwelling unit.*

Each unit has an oversized two (2) car garage with approximately 640 cubic feet of storage space above what is required for the parking of vehicles.

2. Sound and Energy Insulation. *Walls, floors, and ceilings shall conform to the sound and energy insulation performance criteria in Title 25 of the California Administrative Code, Section 1092, or its successor.*

The project was constructed in 2003 and the Building Official has verified conformance with this requirement. No new construction is proposed with the project.

3. Separate Metering of Utilities. *The consumption of gas and electricity within each unit shall be separately metered. Each unit shall have a water valve shut-off and its own panel board for electric circuits. A master water meter may serve the entire project.*

Each of the nine (9) existing apartment units are separately metered for gas and electricity. A master water meter serves the entire project with shut-off valves at each unit.

4. Centralized Waste Refuse Collection. *An area shall be provided for centralized waste refuse collection in a project of seven or more units.*

Recycling and refuse pickup for the units are located at the southwest corner of the site. The existing solid waste configuration will not change because no development is proposed.

5. Parking. *Required off-street parking shall be provided as described in Chapter 4 of the Zoning Ordinance.*

Each of the apartment units has a two (2) car garage. Converting the apartment units to condominiums will not change the parking requirements.

6. *Minimum Open Space, Landscaping and Amenities. Open space, landscaping and amenities shall be provided as set forth in Section 2863 E.*

Conformance with this section was considered in 2003 at the time the project was approved by the Planning Commission. The amenities consist of picnic tables and barbecues. The open space area consists of common area landscaping and private patios are provided at the front of each unit.

Staff Review:

A Subdivision Review Board (SRB) meeting was held to review the Tentative Subdivision Map on September 2, 2008. The applicant met with staff to discuss the proposal and draft Conditions of Approval were formulated for the Vesting Tentative Subdivision Map. The SRB is required to report its findings to the Planning Commission. The following project specific comment was received:

Water Division – commented on requirements if the applicant desires that the condominium units be individually metered (COAW1 and W2).

The Subdivision Review Board (SRB) has developed a series of standard conditions of approval (COA) to advise applicants of possible requirements during the development review process. Project specific conditions are included when staff can determine what they should be from the plans provided for Commission review. A complete plan check occurs after plans have been submitted to the Engineering Division for review. Please note that not all COA included with the Planning Commission Resolution for the project may be applicable. If the applicant has questions and/or concerns regarding specific conditions, he/she should contact the department/division that is recommending the condition. SRB members do not attend the Commission meeting and Planning staff cannot answer specific questions regarding conditions recommended by other departments/divisions.

The SRB recommends that the Planning Commission adopt Resolution No. 622 (08) recommending City Council approval of LOM 585 as the Condominium Conversion for the project, subject to the attached Conditions of Approval.

ENVIRONMENTAL REVIEW:

An Initial Environmental Study has been performed for the proposed project. Pursuant to the provisions of the California Environmental Quality Act (CEQA) a Negative Declaration has been prepared and is attached for Planning Commission review.

The Planning Commission will review the document and the draft Negative Declaration and make a recommendation to the City Council to review the document and certify the Negative Declaration. A Notice of Determination will be filed following the City Council action.

NOTICING:

On September 12, 2008:

- 1) Notice of the Public Hearing was published in the Lompoc Record; and
- 2) Notices were mailed to property owners within 300 feet by US mail.

On September 26, 2008:

- 1) The project site was posted by City staff.

APPEAL RIGHTS:

The Planning Commission action is a recommendation to the City Council. Appeal rights are specified in State law.

ATTACHMENTS:

1. [Draft Resolution No. 622 \(08\)](#) and [Conditions of Approval](#)
2. [Initial Environmental Study](#) and [Negative Declaration](#)
3. Vesting Tentative Subdivision Map
(Planning Commission only – plans available in Planning Division for review)

Staff Report has been reviewed and approved for submission to the Planning Commission			
Arleen T. Pelster, AICP Community Development Director	Date	Lucille T. Breese, AICP Planning Manager	Date