



STAFF REPORT

DATE: May 14, 2024
PL23-0319 – 2402 S. Escondido Blvd.

PROJECT NUMBER / NAME: PL23-0319 – 2402 S. Escondido Blvd. / Canterbury Gardens

REQUEST: A request for a Tentative Subdivision Map and Condominium Permit to convert a conditionally approved 44-unit residential apartment development (PL21-0042) into 43-air space condominium units, resulting in the removal of one-unit. The proposal also includes adoption of the environmental determination for the project.

PROPERTY SIZE AND LOCATION: The 1.58-acre site is located on the east side of S. Escondido Blvd., just north of Citracado Parkway, addressed as 2402 S. Escondido Blvd. (APN: 238-141-18-00)

APPLICANT: Kingston Canterbury Gardens, LLC

GENERAL PLAN / ZONING: SPA (Specific Plan Area) / S-P South Centre City Specific Plan (Southern Entry District)

PRIMARY REPRESENTATIVE: Scott Parker, Owner

DISCRETIONARY ACTIONS REQUESTED: Tentative Subdivision Map and Condominium Permit

PREVIOUS ACTIONS: Major Plot Plan (PL21-0042) approved by the Development Services Director on August 24, 2022.

CEQA RECOMMENDATION: The Project qualifies for an exemption under the California Environmental Quality Act ("CEQA") Guidelines sections 15332 ("In-Fill Development") and 15305 ("Minor Alterations to Land Use Limitations")

STAFF RECOMMENDATION: Approval

REQUESTED ACTION: Approve Planning Commission Resolution No. 2024-07

CITY COUNCIL HEARING REQUIRED: ☐ YES ☒ NO

REPORT APPROVALS:
☒ Dare DeLano, Senior Deputy City Attorney
☒ Veronica Morones, City Planner



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BACKGROUND

The subject site consists of an approximately 1.58-acre parcel (APN: 238-141-18-00). The subject site is located on the southeast side of S. Escondido Blvd (directly east of Centre City Parkway), just north of Citracado Parkway (Figure 1). The subject site is zoned Specific Plan (S-P) and is located in the South Centre City Specific Plan (Southern Entry District Mixed-Use Overlay) which allows multi-family development up to 30 dwelling unit per acre ("du/ac"). The General Plan land use designation for the site is Specific Planning Area (SPA): South Centre City Specific Plan (Attachment 1). Photographs of the site are included under Attachment 2.

The City previously approved a Major Plot Plan (PL21-0042) for the subject site to develop 44 residential apartment units. The applicant received grading permits on July 7, 2023 (GP22-0049 and GP22-0060) from the City for the previously approved Major Plot Plan, resulting in earthwork currently occurring on site.

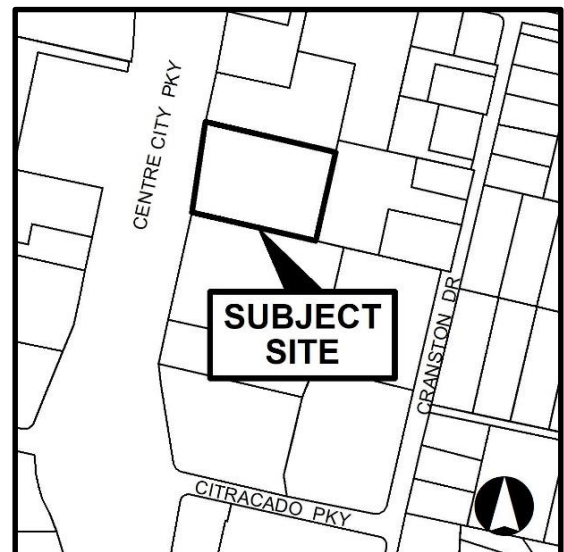
SUMMARY OF REQUEST

Kingston Canterbury Gardens, LLC ("Applicant") submitted an application on September 26, 2023 (PL23-0319) to convert the approved development into a Residential Condominium Tentative Subdivision Map to create 43 air-space condominium units on one parcel. To convert an apartment multifamily residential development to condominiums, the Applicant requires a Tentative Subdivision Map and a Condominium Permit (collectively referred to as a "Residential Condominium Tentative Subdivision Map"), pursuant to Ch. 32, Article 2 (Tentative Maps), section 32.201.01 and Ch. 33, Article 49 (Air Space Condominium and Community Apartment Project), section 33-950, respectively. As part of the Residential Condominium Tentative Subdivision Map, the Applicant proposes to reduce the overall project by one lot to facilitate the location and construction of a community trash enclosure.

The Applicant originally entitled the apartment development through a Major Plot Plan (PL21-0042), which was approved by the Development Services Director. The original approval includes six individual three-story buildings which includes a total of 97 parking spaces (86 garage spaces and 11 open parking spaces which include one accessible parking space). On-site amenities include common seating areas, bocce ball court, barbeque counter, and dog run. Some units have small private landscaped areas associated with entrances and/or linear private backyard areas. The original approval permitted the project's architectural design and features which would remain the same under the proposed project.

Article 49 (Air Space Condominium and Community Apartment Projects) of the Escondido Zoning Code specifies the requirements and finding to approve this condominium conversion. The proposed project entails an unoccupied apartment development converting to individual for-sale units. Several requirements of Article 49 only apply to projects where an existing occupied apartment development proposes to convert their occupied units (e.g., tenant notification). Those requirements which apply to tenant notification, etc., are not applicable to the proposed project given its current development status of under construction. For those requirements that do apply to the proposed project, the Applicant has met or exceeded the requirements of Article 49, as detailed in the Supplemental Details of Request below. An asterisk denotes portions of the project that were approved under the Major Plot Plan and are not subject to the Residential Condominium Tentative Subdivision Map decision.

Figure One





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A. SUPPLEMENTAL DETAILS OF REQUEST:

1. Property Size	1.58-acres	
2. Number of Units:	43 air-space condominium units	
	<u>Required:</u>	<u>Project:</u>
3. Unit Sizes:	N/A	Range from 1,017 sq. ft. to 1,244 sq. ft.*
4. Buildings/Types		Six, three-story interlocking alley types* 5 two-bedroom* 38 three-bedroom/office* 43 total units
5. Density:	30 du/ac maximum (based on Approved Specific Plan for the Centre City Area land-use designation)	27.0 du/ac net acreage
6. Building Height:	Approved Specific Plan zoning allows up to 3 stories and 45 feet	3 stories, up to 37' 8" to ridgeline of tallest roof elements*
7. Vehicle Parking:	86 required	43 individual units with two-car garages per each unit (86 total) and up to 11 open guest spaces (includes ADA and EV spaces)*
8. Bicycle Parking:	Per CBC	Per CBC*
9. Setbacks	Per the Approved Specific Plan for Centre City Area	Approved Plot Plan*
a) Front Yard	15' min.	15' min.
b) Street Side	10' min.	10' min.
c) Rear Yard	20' min. Additional 5' for structures over two stories	Set-back 15' or greater from rear P/L
d) Interior Side Yard (west)	5' min. Additional 5' for structure over two stories	5' min. third-story element on select structures set back min. 10' from P/L along west
10. Useable Open Space	13,200 sq. ft. min. (300 sq. ft. per unit min)	13,259 sq. ft. total* N/A recreation areas*



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2,545 sq. ft. of private
patios/decks*
10,714 sq. ft. common areas*
(Average 308 sq. ft. per unit)*

11. Trash:	No individual bins	Construction of common trash enclosure
12. Washer/dryer	Hook ups for each unit	Hook ups for washer/dryers will be provided
13. Storage	80 cubic feet of area/unit	Storage will be provided w/in garage area
14. Heating/ Ventilation:	Ground-mounted HVAC units with appropriate screening proposed for each unit	

B. PROJECT ANALYSIS:

1. General Plan and Zoning Conformance:

The City's General Plan land-use designation for the project site is Specific Planning Area (SPA). Specifically, the land-use designation denotes the site is governed by a specific plan document. The South Centre City Specific Plan Area (SCCSP) is the governing specific plan for the project site. The site is zoned Specific Plan (S-P) and is located within the Southern Gateway District – mixed use overlay of the SCCSP which allows multi-family residential development up to 30 du/acre. Therefore, the proposed project's change in units from 44 approved units to 43 units is consistent with the allowable density for the site. The proposed project conforms to the requirements of Chapter 33, Article 49 and Chapter 32, Article 2 as depicted in the Supplemental Details of Request table shown above.

a) Housing Element and "No Net Loss"

The City is taking steps to encourage, promote, and facilitate the development of housing consistent with Policies 1.1 and 2.1 of the Housing Element of the General Plan, while accommodating the City's share of regional housing needs, consistent with Government Code section 65584. No Net Loss Law (Government Code section 65863) ensures development opportunities remain available throughout the planning period to accommodate a jurisdiction's Regional Housing Needs Allocation ("RHNA"), especially for lower- and moderate-income households. In general, jurisdictions cannot approve new housing at significantly lower densities or at different income categories than was projected in the Housing Element without making specific findings and identifying other sites that could accommodate these units and affordability levels "lost" as a result of the approval. The so-called "no net loss" provisions apply when a site is included in the jurisdiction's Housing Element's inventory of sites and is either rezoned to a lower residential density or is approved at a lower residential density than shown in the Housing Element. (Gov't Code § 65863(b)). The project site is located on the City's Suitable Sites Inventory, and is therefore subject to the provisions of "no net loss." Therefore, the proposed change in density is subject to the following findings:

- i. The reduction is consistent with the City's adopted General Plan, including the housing element, in that the proposed project aligns with Housing Element policies 1.1 and 1.5 because it provides for expanded stock of for-sale units that are compact and efficient in design.



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- ii. The remaining sites identified in the housing element are adequate to meet the requirements of Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584, in that the City retains approximately 5,000 very-low and lower-income units on sites identified within the sites inventory. The site was allocated 36 residential units for the purposes of RHNA. Of those 36 units, 23 are identified for lower-income units and 13 are identified for above-moderate-income units. The proposed project would include 43 above-moderate-income units on the site, resulting in a "loss" of 23 lower-income units, and a surplus of 30 above-moderate-units. However, the City retains a "no net loss" buffer of approximately 28-percent with the approval of this project. Therefore, the City in granting approval of this project would continue to conform to the provisions of "no net loss" and housing element law.

2. Climate Action Plan Consistency:

The proposed project is screened out of additional Greenhouse Gas (GHG) Analysis based on the project type. Projects that are screened out are assumed to have a less than significant impact on GHG emissions. The screening threshold for multifamily uses is 55 dwelling units, and the project is an already approved (previously screened out) 44-unit multifamily development that proposes to reduce one unit and convert to for-sale condominiums. Therefore, the Project is found to be consistent with the Climate Action Plan.

3. Site Characteristics (approved under the Major Plot Plan)

a) Project Access, Circulation and Parking:

The original approval permitted the project's access driveway, required street improvements, landscaping, and design requirements which would remain the same under the proposed project. The project frontage and internal amenities would be maintained by the project homeowner's association (HOA); the creation of the project HOA is required as a part of the project's conditions of approval. The primary project driveway located on S. Escondido Blvd. and on-site circulation would all be privately maintained by the HOA.

The original approval permitted the project's required 86 parking spaces (two car garage per unit) and 11 open parking spaces which would remain the same under the proposed project. The project proposes a total of 97 parking spaces, compliant with City standards. No parking will be allowed along S. Escondido Blvd., or any of the internal private driveway and courts as stipulated within the project's conditions of approval.

b) Open Space and Landscaping:

The conversion of the approved apartment project to 43-condominium units requires a minimum of 300 square feet of open space per unit. The proposed project provides 308 square feet of open space per unit as proposed. The project would provide common open space areas totaling 10,714 square feet and private patio open space areas totaling 2,545 square feet for a total of 13,259 square feet. Perimeter walls and fencing would be provided and includes decorative masonry walls along the S. Escondido Blvd. frontage, and decorative open tube metal fencing along portions of the northern property edge.

4. Building Design:

a) Architectural Design, Colors/Materials and Unit Mix:



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The originally approved Major Plot Plan (PL21-0042) included project Design Review of the six separate three-story interlocking buildings with styles and themes consistent with the SCCSP's design guidelines. The project includes a range of unit sizes and bedroom counts including five two-bedroom units and 38 three-bedroom units, ranging in size from 1,017 square feet to 1,244 square feet. The project utilizes a multi-story craftsman architectural style with varying wall planes and rooflines; composition roofing; two color palettes; and exterior materials such as stucco, vertical/horizontal wood/composite siding, dark trim colors, stone patio walls on the ground floor, and decorative metal railing on the second story. The design includes ground floor enclosed private areas for seven units. The project design is included under Attachment 3 of this staff report and Exhibit "D" to the draft Planning Commission Resolution No. 2024-07 (Attachment 4).

FISCAL ANALYSIS

The Applicant will be responsible for payment of all applicable Development Impact Fees as adopted by the City Council.

ENVIRONMENTAL ANALYSIS

California Environmental Quality Act ("CEQA") Guideline's list classes of projects that have been determined not to have a significant effect on the environment and as a result are exempt from further environmental review under CEQA. The project qualifies for an exemption under CEQA Guidelines Section 15332 "In-fill Development" and 15305 "Minor Alterations in Land Use Limitations." Staff prepared a Notice of Exemption for the project (Attachment 5). The project qualifies for the exemption as described further in the Findings of Fact, attached as Exhibit "C" to Resolution 2024-07 (Attachment 4).

PUBLIC INPUT

The Planning Division noticed the proposed project consistent with the requirements of both the Escondido Zoning Code (Article 61, Division 6) and state law. Staff received one correspondence from the public regarding the proposed project as of the preparation of this report. The email correspondence raised a concern regarding the lack of affordable rental property for young families (Attachment 6).

CONCLUSION AND RECOMMENDATION

The proposed project is consistent with the guiding principles identified in the Land Use and Community Form Element of the Escondido General Plan. The Proposed Project is designed in conformance with the applicable development standards, design guidelines, and the project would contribute to availability of for-sale housing.

Staff recommends the Planning Commission approve the proposed Residential Condominium Tentative Subdivision Map, as described in this staff report. The draft Planning Commission Resolution No. 2024-07, including Exhibits A, B, C, and D thereto, is incorporated into this staff report.

ATTACHMENTS

1. Location Map, General Plan Map, and Zoning Map
2. Site Photos
3. Project Plans
4. Draft Planning Commission Resolution No. 2024-07 including Exhibits A, B, C, and D
5. CEQA Notice of Exemption
6. Public Comment