



THE CITY OF SAN DIEGO

## REPORT TO THE HEARING OFFICER

HEARING DATE: July 14, 2004 REPORT NO. HO 04-  
ATTENTION: Hearing Officer  
SUBJECT: BARBER CONDOMINIUMS  
PTS PROJECT NUMBER: 29165  
LOCATION: 4883 Narragansett Avenue  
APPLICANT: David Barber

### SUMMARY

Requested Action - Should the Hearing Officer approve a Coastal Development Permit, a Map Waiver and a request to waive undergrounding of utilities for construction of a new condominium dwelling unit on a site improved with an existing dwelling unit and allow the existing unit to be converted to a condominium?

#### Staff Recommendation -

1. Approve Coastal Development Permit No. 123485
2. Approve Map Waiver No. 123486 and a waiver of the requirement to underground the existing utilities

Community Planning Group Recommendation – On June 2, 2004, the Ocean Beach Planning Board voted unanimously against the project.

Environmental Review – The project has been determined to be exempt from California Environmental Quality Act pursuant to Section 15332, infill development.

## BACKGROUND

The 3,415 square foot lot is located at 4883 Narragansett Avenue and lies within the RM-2-4 Zone, Non-Appealable Coastal Overlay Zone, Coastal Height Limit Zone, Airport Approach Zone and the Airport Environs Zone of the Ocean Beach Community Plan. The site sits on the south side of Narragansett Avenue, between Cable Street to the west and Sunset Cliffs Boulevard to the east. The subject property is surrounded with multi-family and single family development.

The site is improved with a 1,223 square foot, one story, single dwelling unit with a 402 square foot garage with access from the alley. A driveway was installed in July 1990, accessing the site from the front of the property and leading to a legal off-street parking space. Staff has determined that this driveway may remain as installed.

## DISCUSSION

The project proposes development which shall be constructed in the following two phases:

Phase 1 proposes demolition of 131 square feet of the existing one story, three bedroom, 1,286 square foot single dwelling unit to allow the separation and conversion of 297 square feet of the existing dwelling into a separate studio unit.

Phase 2 proposes demolition of the 297 square foot studio unit described in Phase One to create a new, three story, 998 square foot dwelling.

The proposed phases of development have been reviewed by Development Services staff which has determined that all configurations will comply with current Land Development Codes.

The project also proposes to convert the existing dwelling unit and develop the proposed dwelling unit as condominiums. Section 125.0120 of the City's Land Development Code establishes a discretionary process which allows an applicant to request and the Hearing Officer to consider a waiver of Map requirements for subdivision proposals which demonstrate compliance with the State's Subdivision Map Act. Staff has determined the proposed waiver conforms to the applicable requirements of the State's Subdivision Map Act Section 66428. Therefore, a Tentative Map may be waived for this project with a Parcel Map required as a condition of the Map Waiver. Because this project is only proposing one new dwelling, it is exempt from Inclusionary Affordable Housing Regulations.

The site currently contains overhead utility lines located across the alley from the subject property. Poles that support these utilities sit in line with the eastern property line of the subject property line and approximately 115-feet west, crossing Cable Street. Therefore, the span between the two poles is approximately 115-feet. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 2Q, which is proposed to be undergrounded in Fiscal Year 2010 (Attachment 5).

City staff is supporting the request to waive the requirement to place these utilities underground as the west pole is not located next to the property, thereby requiring the applicant to either place a new pole, or underground utilities beyond the project site. Also, these utility lines are located across the alley and not adjacent to the subject property. San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver of the requirement to underground the existing overhead utilities within the boundary of the subdivision, or within the abutting public rights of way. City Staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, *Underground Conversion of Utility Lines at the Developers Expense*, in that it involves a span of under 600 feet, is not part of a continuing effort to accomplish undergrounding within a specific street or area, and the conversion would represent an isolated undergrounding with a minimum probability of extension in the future, and would not represent a logical extension to an undergrounding facility.

On June 2, 2004, the Ocean Beach Planning Board voted unanimously to oppose the project. The recommendation of denial was based on issues regarding bulk and scale and the request to waive the requirement to underground utilities. City staff has determined the project is in compliance with the community plan and compatible with the neighborhood as there are many three story buildings in the immediate area. Although, it is a general practice that the Ocean Beach Planning Board request that utilities to be placed underground with every Tentative Map or Map Waiver as way of reaching the City's goal of eventually having all utilities placed underground, City staff is supporting the waiver as noted above.

#### ALTERNATIVE

1. Approve Coastal Development Permit No. 123485, Map Waiver No. 123485 and the request to waive undergrounding of utilities, with modifications.
2. Deny Coastal Development Permit No. 123485, Map Waiver No. 123485 and the request to waive undergrounding of utilities, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Peter Lynch, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Data Sheet
4. Undergrounding Master Plan
5. Draft Map Waiver Resolution
6. Draft Coastal Development Permit Resolution with Findings
7. Coastal Development Permit
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Project Chronology
11. Project Exhibit (Hearing Officer only)