



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: February 9, 2005 REPORT NO. HO 05-015

ATTENTION: Hearing Officer

SUBJECT: LUXURY VILLAS MAP WAIVER
PTS PROJECT NUMBER: 48158

LOCATION: 4637 36th Street

APPLICANT: Robert Ramsey

SUMMARY

Requested Action - Should the Hearing Officer approve a Waiver to convert two residential units into condominiums and waive the requirement to underground the existing overhead utilities at 4637 36th Street within the Normal Height neighborhood of the Mid-City Communities Community Plan?

Staff Recommendation -

1. Approve Map Waiver No. 74828; and
2. Approve a waiver to the requirement for the undergrounding of the existing overhead utilities

Community Planning Group Recommendation – The Normal Heights Community Planning Committee voted 12-0 on November 2, 2004 to recommend approval of the project, with no conditions.

Environmental Review - The project is exempt from the California Environmental Quality Act pursuant to Article 19, section 15301(k) for existing facilities.

BACKGROUND

The project proposes a waiver for the requirements of a Tentative Map to convert two residential units into condominiums on a .14-acre site, and to waive the requirement to underground the existing overhead utilities. The project is located at 4637 36th Street in the RM-1-1 zone of Central Urbanized Planned District, within the Normal Heights neighborhood of the Mid-City Communities Plan area.

The project site is surrounded by RM-1-1, multi-family residential use in the north, south, east and west. The project consists of two, two-story detached units (1,428 square-feet each), currently under construction. The project contains four parking spaces accessed through the rear alley (two spaces are located within garage). The project is in compliance with current applicable regulations per San Diego Municipal Code Section 131.0420. There are no open Building or Zoning Code violations of record against this property.

The In-Lieu fees were paid during building permit issuance. Therefore, the project is in compliance with Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

DISCUSSION

The applicant is requesting a waiver of the requirements for the undergrounding of the existing overhead facilities. Staff has determined that the undergrounding waiver request qualifies under the guidelines of Council Policy No. 600 25-Underground Conversion of Utility Lines at the Developers Expense. The developer will be required to underground any new service run to the proposed structures within the subdivision. The existing conversion involves a short span of overhead facility (less than 600 feet in length) and it has been determined that such conversion is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area, and the conversion would represent an isolated undergrounding with a minimum probability of extension in the future.

Staff has reviewed the Map Waiver request to waive the regulations for a Tentative Map and to waive the requirements for the undergrounding of existing overhead utilities. The project is in conformance with the applicable sections of the San Diego Municipal Code for Map Waivers and Council Policy 600-25 regulating undergrounding of existing overhead utilities. The development is consistent with the residential land use designation of the Mid-City Communities Plan area. Staff recommends approval of the project.

ALTERNATIVE

1. Approve Map Waiver No. 136969, with modifications.
2. Deny Map Waiver No. 136969, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Nilia Koering, Development Project Manager

Attachments:

1. Draft Resolutions with Findings
2. Project Site Plan
3. Project Data Sheet
4. Project Chronology
5. Community Planning Group Recommendation