



THE CITY OF SAN DIEGO

## REPORT TO THE HEARING OFFICER

HEARING DATE: March 23, 2005      REPORT NO. HO 05-047

ATTENTION: Hearing Officer

SUBJECT: MONTEREY COURT MAP WAIVER,  
PTS PROJECT NUMBER: 42562

LOCATION: 702 Monterey Court

OWNER: Pacific Beach Investment Trust, Michael Turk, Trustee

### SUMMARY

Requested Action - Should the Hearing Officer approve a request to waive the requirements for a tentative map to convert three residential units under construction into condominium ownership and a request to waive the requirement to underground existing overhead utilities?

#### Staff Recommendation -

1. APPROVE Map Waiver 24053 , and
2. APPROVE Waiver of the requirement to underground existing utilities.

Community Planning Group Recommendation – On July 20, 2004 the Mission Beach Precise Planning Board voted to approve the Map Waiver. The motion passed 10-1, without conditions.

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

## BACKGROUND

The subject property located at 702 Monterey Court between Nahant Court and El Carmel Place, is a 4,312 square foot site zoned R-S within the boundaries of the Mission Beach Planned District and the Mission Beach Precise Plan area. The site is within the State Coastal Jurisdiction, Coastal Height Overlay, Parking Impact, and Transit Area Overlay zones. Current construction is permitted by a Coastal Development Permit No. 6-03-082

## DISCUSSION

The project application was deemed complete on October 7, 2004. The subdivider paid the applicable “in lieu” fees to satisfy the Inclusionary Housing requirement at the time the building permits were issued.

The current development of the two story, three unit building with garages on the ground floor and is being constructed under Coastal Development Permit No. 6-03-082, which allowed the demolition of four previously existing condominium units to construct the three units under-construction today. The newly constructed units have not yet received a “certificate of occupancy”(attachment 9).

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver from 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 Developer's Expense*, in that the conversion is a requirement of a condominium conversion of an existing development and the conversion involves a short span of overhead facilities less than a full block in length and the conversion would not represent a logical extension to an under-grounding facility. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision.

The utilities for the project currently under-construction have been undergrounded, however the site is adjacent to an alley (Strandway) which has existing power poles currently servicing the nearby properties.

The City's Under-grounding Master Plan for Fiscal Year 2004 designates Strandway (alley) scheduled for undergrounding in 2008

## CONCLUSION

Staff has reviewed the application for the Map Waiver and the request to Waive the requirement to underground the existing overhead utilities and believes that the required findings can be made to support the proposed project. Additionally, the project was reviewed and exempted from the California Environmental Quality Act and Categorically Exempt from further environmental review. Therefore, staff recommends that the Hearing Officer approve both the proposed map waiver and the waiver to underground existing overhead utilities

#### ALTERNATIVE

1. APPROVE Map Waiver 24053 and the Waiver of the requirement to underground existing Utilities, with modifications.
2. DENY Map Waiver 24053 and the Waiver of the requirement to underground existing utilities, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Helene Deisher, Development Project Manager

#### Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Plans (Hearing Officer Only)
6. Draft Resolution with Findings
7. Project Chronology
8. Coastal Development Permit