



THE CITY OF SAN DIEGO

## REPORT TO THE HEARING OFFICER -

HEARING DATE: May 18, 2005      REPORT NO. HO 05-074

ATTENTION: Hearing Officer

SUBJECT: WESSELINK MAP WAIVER - PROJECT NUMBER: 5705

LOCATION: 727 Ostend Court

APPLICANT: Richard H. Wesselink, Patricia E. Wesselink and Aaron Wesselink

### SUMMARY

Requested Action - Should the Hearing Officer approve a Map Waiver and a Waiver of Undergrounding to convert two residential dwelling units to condominium ownership at 727 Ostend Court within the Mission Beach Planned District?

### Staff Recommendation -

1. APPROVE Map Waiver and Waiver of Undergrounding No. 9461

Community Planning Group Recommendation – The Mission Beach Precise Planning Board approved this application by a vote of 10-0 on July 20, 2003, with no conditions.

Environmental Review - This project is categorically exempt from CEQA per Article 19, Section 1530(k), Existing Facilities.

### BACKGROUND

The subject property, located at 727 Ostend Court between Strandway and Mission Boulevard, is a 2,492 square-foot site zoned R-S within the boundaries of the Mission Beach Planned District and Precise Plan area. The site is within the Coastal Overlay Zone (State jurisdiction), the Coastal Height Limit Overlay Zone and the Beach parking Impact Overlay zone. The project site contains a single structure, three stories in height with two tandem garages for four off-street parking spaces accessible from the alley at the rear of the site. Compliance with all applicable land

development regulations were evaluated with a State of California Coastal Development Permit and subsequent City of San Diego building permits in June, 2003. The site has completed construction in 2004, since this application was filed and this action is now to convert two existing units to condominium ownership.

The project application was deemed complete on April 14, 2003, prior to the adoption of the Amendments of Chapter 14, Article 2, Division 13, Sections 142.1303 and 142.1306 of the San Diego Municipal Code, all relating to Inclusionary Affordable Housing Regulations. The project is not subject to the amended regulations and will not be subject to in lieu fees. The project is not subject to the City's 'Coastal Overlay Zone Affordable Housing Replacement' regulations.

### DISCUSSION

The project site is located in Block 2-S of the City's Undergrounding Master Plan and a schedule for undergrounding has been determined by the City Council for undergrounding in 2008. 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, *Undergrounding Conversion of Utility Lines at the Developers Expense*, in that it involves a short span of under 600-feet, would not represent a logical extension to an undergrounding facility and is a condominium conversion application. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision.

The San Diego Housing Commission and City staffs have determined that the conversion of the two dwelling units are not subject to the Inclusionary Housing Ordinance.

In conclusion, this approval would enable the property owner to sell the two residential units as condominiums, for the entitlement being a change in ownership only.

### ALTERNATIVES

1. Approve Map Waiver and Waiver of Undergrounding No. 9461, with modifications.
2. Deny Map Waiver and Waiver of Undergrounding No. 9461, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Robert Korch, Development Project Manager

Attachments:

1. Aerial Photograph
2. Project Location Map
3. Project Data Sheet
4. Map Waiver Exhibit (Hearing Officer only)
5. Draft Map Conditions and Subdivision Resolution
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement