



THE CITY OF SAN DIEGO

## REPORT TO THE HEARING OFFICER -

HEARING DATE: June 15, 2005                      REPORT NO. HO-05-107

ATTENTION:                      Hearing Officer

SUBJECT:                      1942 REED AVENUE MAP WAIVER  
PROJECT NUMBER: 53081

LOCATION:                      1942 & 1944 Reed Avenue

APPLICANT:                      Robert J. Bateman

### SUMMARY

Requested Action - Should the Hearing Officer approve MapWaiver No. 161486, Coastal Development Permit No. 160753, and waive the requirement to underground existing overhead utilities to convert two existing residential units into condominium ownership on a 0.11 acre site?

### Staff Recommendation -

1. APPROVE Map Waiver No. 161486
2. APPROVE Coastal Development Permit No. 160753;
3. APPROVE wavier to the requirement for the undergrounding of existing overhead utilities.

Community Planning Group Recommendation – On February 28, 2005, the Pacific Beach Community Planning Committee voted 12-0 to approve the project with no conditions.

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

## BACKGROUND

The 0.11-acre project site is located at 1942 and 1944 Reed Avenue, between Lamont Street and Morrell Street, in the Pacific Beach Community Planning area (Attachment 1). A one-story dwelling unit is located in the front of the property facing Reed Avenue and a detached, one-car garage is located behind the house. A two-story residential structure with a two-car garage below resides in the rear yard abutting the alley. The residential unit and garage fronting Reed Avenue was constructed in 1931. Coastal Development Permit Number 41-0155 granted the construction of the two-story residential unit with two bedrooms and two-car garage in the rear of the property. The two story structure was constructed in 2001 with Building Permit Number C305534-01 and completed in 2002. The structure received a final inspection on May 22, 2002.

The property is zoned RM-1-1 and permits one unit per 3,000 square feet of lot area. The RM-1-1 zone, established in January 2000, replaced the R-3000 zone that had been applicable since January 1991. The proposed subdivision complies with applicable zoning and development regulations as existing previously conforming development of the Land Development Code Section 127.0102. The site is surrounded by multi-family development. The neighborhood is zoned RM-1-1. The low-medium residential density, 9-14 dwelling units per acre, designation of the Pacific Beach Community Plan is consistent with RM-1-1 zone regulations (Attachment 2). The urbanized site does not contain nor is adjacent to the Multi-Habitat Planning Area.

## DISCUSSION

The project proposes to waive the Tentative Parcel Map for the subdivision of a 0.11-acre site to convert two residential units into condominiums on two existing lots. The applicant is also requesting the requirement for the undergrounding of existing overhead utilities to be waived.

The subdivider may request a waiver of the parcel map requirements pursuant to the Subdivision Map Act, Sections 66428 and 66428.1. According to San Diego Municipal Code Section 125.0122, Findings for Map Waivers, the decision maker may approve a Map Waiver if the decision maker finds the proposed Map Waiver complies with requirements of the Subdivision Map Act and the Land Development Code.

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground the existing utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined the undergrounding waiver request is consistent with the guidelines of Council Policy 600-25, Underground Conversion of Utility Lines at the Developer's Expense. The conversion involves a short span of overhead facilities is less than a full block in length, and the conversion would not represent a logical extension to an undergrounding facility.

The requested conversion of these existing residential units to condominiums represents primarily a change in ownership and no other development is proposed with this application. The proposed subdivision complies with applicable zoning and development regulations as existing previously conforming development of the Land Development Code Section 127.0102.

The project is exempt from the California Environmental Quality Act pursuant to Article 19, Section 15301- existing facilities. This condominium conversion project is also subject to the Inclusionary Housing Ordinance and the applicant has chosen to pay the In-Lieu Fee pursuant to Section 142.1310 of the San Diego Municipal Code.

CONCLUSION:

Staff has reviewed the request for a Map Waiver for the conversion of the two existing residential units into condominiums and to waive the requirements to underground the existing overhead utilities. Staff has determined the project to conform to sections 125.0122 (Map Waiver) and 144.0240 (Underground) of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, and Council Policy 600-25 regulating undergrounding of existing overhead utilities.

Staff has determined the development is consistent with the residential land use designation of the Pacific Beach Community Plan and the required findings can be supported. Staff recommends the Hearing Officer acknowledge the environmental exemption, and approve Map Waiver No. 161486, Coastal Development Permit No. 160753, and waive the requirement to underground existing overhead utilities.

ALTERNATIVES

1. Approve Map Waiver No. 161486, Coastal Development Permit No. 160753, and waive the requirement to underground existing overhead utilities, with modifications.
2. Deny Map Waiver No. 161486, Coastal Development Permit No. 160753, and the waiver to the requirement to underground existing overhead utilities, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Cherlyn T. Cac, Development Project Manager

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Map Waiver (to Hearing Officer only)
4. Draft Coastal Development Permit with Conditions
5. Draft Coastal Development Permit Resolution with Findings
6. Draft Map Conditions and Subdivision Resolution
7. Ownership Disclosure Statement