



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: February 22, 2007 REPORT NO. PC-07-028

ATTENTION: Planning Commission, Agenda of March 1, 2007

SUBJECT: 3747 32ND STREET TENTATIVE MAP
PROJECT NO. 90852, PROCESS 4

OWNERS: Joseph Zumbo (Attachment 9)

APPLICANT: Scott Peters, Sterling Land Services

SUMMARY

Issue – Should the Planning Commission approve an application for a Tentative Map to convert nine residential units into condominiums and waive the requirement to underground the existing overhead utilities.

Staff Recommendations -

1. **Approve** Tentative Map No. 291658; and
2. **Approve** a waiver to the requirement for the undergrounding of the existing overhead utilities.

Community Planning Group Recommendation – On February 22, 2006, the Greater North Park Community Planning group voted 12-0-0 to approve the project with no 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).

Fiscal Impact – None with this action. All costs associated with the processing of this application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement – With the proposed conversion of the nine existing

Housing Impact Statement – With the proposed conversion of the nine existing apartments to condominiums, there will be a loss of nine rental units and a gain of nine for-sale units. This condominium conversion project was deemed complete on December 8, 2005 and is subject to the new regulations regarding the inclusionary housing ordinance and tenant relocation assistance.

BACKGROUND

The 0.14-acre site is located at located at 3747 32nd Street, north of Landis Street and west of Bancroft Street. The property is legally described as Lots 13 and 14, Block 45 of Park Villas, Map No. 438, in the MR-1750 Zone of Mid City Communities Planned District within the Greater North Park Community Plan area (attachment 2).

The site is designated for Medium Residential land use by the Greater North Park Community Plan Land Use Map at a density range of 15 to 25 dwelling units per net residential acre.

The site was zoned R-4 on April 28, 1930 and re-zoned to R-3A on April 4, 1975. The zone was changed again to MR-1750 as part of the Mid City Communities Planned District on November 2, 1987. The current zone would only allow four units to be built on the site. However, the nine unit apartment building was permitted in 1986 and constructed in 1987 at a time when the site was zoned R-3A, which permitted multiple unit residential development at a density of one unit per 600 sq. ft. of lot area, therefore ten units were allowed. The nine residential units were built at a time when they were allowed on the site.

The structure consists of one 3-bedroom unit and eight 1-bedroom units. The property is developed with one building containing nine units and 12 parking spaces. The unit composition is:

- One 3-bedroom unit at 828 square feet
- One 1-bedroom units at 504 square feet
- One 1-bedroom units at 448 square feet
- One 1-bedroom units at 468 square feet
- One 1-bedroom units at 416 square feet
- One 1-bedroom units at 392 square feet
- One 1-bedroom units at 320 square feet

Twelve parking spaces would be required according to today's standards at 1.25 for 1-bedrooms and 2.0 for a 3-bedroom in the Transit Overlay Zone. At the time the project was built, parking was required at a rate of 1.3 spaces per 1-bedroom unit and 1.6 spaces per 2-or-more-bedroom unit. Twelve parking spaces were also required for the nine dwelling units when they were built and 12 parking spaces currently exist on site as shown on attachment 3.

There are no Building or Zoning Code Violations recorded against this property. The project also has previously-conforming rights to be maintained as outlined in San Diego Municipal Code (SDMC) §127.0101.

DISCUSSION

Project Description:

The project proposes a Tentative Map for the subdivision of the 0.14-acre site to convert nine apartments into condominiums (Attachment 3). The applicant is also requesting the requirement for the undergrounding of the existing overhead utilities be waived.

Section 125.0401 of the SDMC requires that a Tentative Map be processed for the subdivision of land. According to SDMC §125.0440 and §125.0444, *Findings for Tentative Map and Condo Conversions*, the decision maker may approve a Tentative Map for the conversion of residential units into condominiums if the decision maker finds that proposed project complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed project for condominium conversion and has determined that it complies with Subdivision Map Act and the San Diego Municipal Code.

Undergrounding Waiver Request

San Diego Municipal Code §144.0240 allows the subdivider to apply for a waiver for the requirement to underground the existing overhead utilities within the boundaries of the subdivision or within the abutting public right-of-way. Staff has determined that the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, *Underground Conversion of Utility Lines at the Developers Expense*, in that the conversion is a requirement for a condominium conversion of an existing development and the conversion would not represent a logical extension to an undergrounding facility. The applicant would be required to underground any new services to any new or proposed structure within the subdivision. The City's Undergrounding Master Plan for fiscal Year 2006 designates the site within Block 3-P, and the undergrounding allocation year is 2026 (attachment 4). The undergrounding typically takes place one year from the date of the allocation.

Condominium Conversion Regulations

The requested conversion of these residential units to condominiums represents primarily a change in ownership. The applicant has certified the required 60 day Notice of Intent to Convert to Condominiums was provided to the tenants on October 9, 2005 (attachment 5).

All condominium conversion projects Deemed Complete on or after February 7, 2004, must conform with the regulations regarding Inclusionary housing and tenant relocation benefits. The project has been conditioned to require the subdivider conform with the City's Inclusionary Housing Ordinance SDMC §142.0301 and demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits, SDMC §144.0501, to the satisfaction of the City Manager and the Housing Commission, prior to the recordation of the Final Map.

The applicant has elected to pay an in-lieu fee of \$4,220 to satisfy the Inclusionary Housing requirement, as allowed by the City's Inclusionary Housing Ordinance SDMC §142.1300.

Building Conditions Report and Landscape Requirements

In accordance with the current regulations, the applicant provided a Building Conditions Report and Landscape Concept Plan. Both of these documents have been reviewed for conformance with the applicable regulations within SDMC §144.0500 and have been determined by staff to conform with the regulations. The list of required improvements is provided in attachment 6.

Community Planning Group Recommendation

On February 22, 2006, the Greater North Park Planning Committee (GNPPC) recommended approval of the project with no conditions though they voiced three concerns as indicated on attachment 7. The GNPPC requested the applicant provide a new design for the front facade of the property. The applicant has agreed to their request. Attachment 8 shows the proposed improvements. The GNPPC's second concern regards a wooden fence along the property line. A condition has been included in the permit to remove. Regarding the GNPCP's third concern, there is one tandem parking space along the southerly property line which has previously conforming rights. All other parking spaces are single spaces.

CONCLUSION

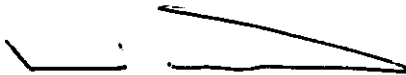
Staff has reviewed the request for the Tentative Map for the conversion of the nine residential units into condominiums and the request to waive the requirement for the undergrounding of overhead utilities. Staff has determined that the project is in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and Council Policy 600-25 regulating undergrounding of the existing overhead utilities. Staff has determined that the required findings can be supported and recommends the Planning Commission approve the proposed project.

ALTERNATIVES

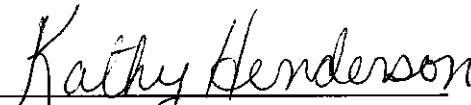
1. **Approve** Tentative Map No. 291658, and the waiver to the requirement for the undergrounding of the existing overhead utilities.

2. **Deny** Tentative Map No. 291658, and the waiver to the requirement for the undergrounding of the existing overhead utilities, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Kathy Henderson, Project Manager
Development Services Department

Attachments:

1. Community Plan Land Use Map
2. Project Location Map
3. Tentative Map Exhibit
4. City's Undergrounding Master Plan- Map Block 8-E
5. 60-Day Notice
6. Improvements required in Building Conditions Report
7. Community Planning Group Recommendation
8. Sketch of Proposed Facade Improvements
9. Ownership Disclosure Statement
10. Draft Tentative Map Resolution with Findings and Conditions
11. Aerial Photo
12. Project Data Sheet
13. Project Chronology
14. Photographs of Existing Elevations
15. Landscape Plans