

**DATE ISSUED:** March 22, 2007                      REPORT NO. PC-07-052

**ATTENTION:** Planning Commission, Agenda of March 29, 2007

**SUBJECT:** 2005 GRAND VESTING TENTATIVE MAP - PROJECT NO. 82815.  
PROCESS 4

**OWNER/  
APPLICANT:** Mazi Properties, Limited Partnership (Attachment 10)

**SUMMARY**

**Issue(s):** Should the Planning Commission approve a Coastal Development Permit and Vesting Tentative Map to convert ten existing apartment units into residential condominiums located at 2005– 2015 Grand Avenue, with a request to waive the requirement to underground existing overhead utilities?

**Staff Recommendation:**

1. APPROVE Coastal Development Permit No. 26383 ; and
2. APPROVE Vesting Tentative Map No. 259966 and the request to waive the requirement to underground existing overhead utilities.

**Community Planning Group Recommendation:** On January 3, 2006, the Pacific Beach Community Planning Committee voted 10-3-0 to recommend approval of the proposed project with a clarification regarding the on-site parking. Reference the Discussion section of the report. (Attachment 9).

**Environmental Review:** The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, 15301 (k), as “Existing Facilities”. The exemption determination for this project was made on October 3, 2005; an appeal to that determination was filed on October 4, 2005. The appeal was denied and the Environmental Determination was sustained by City Council on July 31, 2006, by Resolution No. R-301711.

**Fiscal Impact Statement:** All costs associated with processing of this application are paid for by the applicant.

**Code Enforcement Impact:** None.

**Housing Impact Statement:** The proposed project is the conversion of ten existing apartment units into condominiums. There would be a loss of ten rental units and a gain of ten for-sale units. This Tentative Map project is required to comply with the inclusionary housing requirements and tenant relocation assistance program, which are conditions of the proposed Tentative Map (Attachment 8).

## **BACKGROUND**

The 12,500 square-foot site is located at 2005-2015 Grand Avenue, in the RM-2-5 Zone, Coastal Overlay Zone (non-appealable) and Coastal Height Overlay Zone. The development is located on four parcels and designated Multi-Family Residential by, and located within, the Pacific Beach Community Plan Area (Attachment 2). The surrounding area is developed with a mix of commercial, multi-family and some intermittent single family development. The proposed subdivision constitutes, by definition, Coastal Development, which pursuant to the Land Development Code (Section 126.0702) requires a Coastal Development Permit. A Tentative Map is required, by the Land Development Code (Section 125.0410), for the proposed division of the property into ten residential condominium dwelling units.

The existing development is a one-story, ten dwelling unit apartment complex that was constructed in 1948. At the time the property was developed, the approved construction met all then current regulations. The apartment building includes eight, one-bedroom units and two, two bedroom units, ranging in size from approximately 580 square feet to 780 square feet each. The original development provided a total of seven parking spaces, two of which are located off of Morrell Street and the other five are located off the rear alley. The property maintains previously conforming rights in accordance with Chapter 12, Article 7, Division 1 of the Land Development Code for parking and to density as a total of 19 parking spaces would be required today, and no more than eight units would be allowed. No Building or Zoning Code violations are recorded against the property.

## **DISCUSSION**

### **Project Description:**

The project proposes to convert the existing residential complex, made up of ten residential apartments, into ten residential condominium dwelling units. Utilities are located above ground in the right-of-way, along the south side of the alley at the rear of the property, south of Grand Avenue and east of Morrell Street. The apartment building was constructed in 1948 and consists of two, one-story structures with concrete-stucco exterior walls and a flat roof. No physical changes to the development site are proposed or will occur should the Planning Commission action be to approve the application. The project has a total of seven parking spaces, two off of Morrell Street and the remaining five located off the rear alley. During the project's review, City

Staff determined that the existing structure was in conformance with the development codes in effect at the time.

### Community Planning Group Recommendation

The Pacific Beach Community Planning Committee recommended approval of the project by a vote of 10-3-0. According to the applicant, during the meeting, the group expressed some concern about the number of parking spaces shown on the plans. The applicant clarified that there were a total of seven parking spaces on site rather than the six that were shown on the exhibit at that point in time. As discussed above, the development maintains previously conforming rights with respect to the number of parking spaces.

### Undergrounding Waiver Request:

The project site is located in Block 2-U of the City's Undergrounding Master Plan and is yet to be scheduled for undergrounding by City Council at this time (Attachment 12). 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 and all onsite utilities serving the subdivision will be undergrounded as a condition of the Tentative Map (Attachment 8). If the requested waiver of undergrounding is not approved, the applicant would have to add two power poles, at the south-east and south west corners of the property along the alley.

### Project-Related Issues:

All condominium conversion projects deemed complete on or after February 7, 2004, must conform to the regulations regarding Inclusionary Housing, Coastal Affordable Housing and Tenant Relocation Benefits. Conditions Nos. 11, and 12 of the draft Tentative Map Resolution (Attachment 8) require compliance with this ordinance. In order to meet this requirement the applicant has elected to pay the in-lieu fee for Inclusionary Housing, which is calculated to be \$15,500.00.

### CONCLUSION

A Coastal Development Permit, Tentative Map and Waiver of Undergrounding for a Condominium Conversion are a Process Four, Planning Commission decision pursuant to San Diego Municipal Code Sections 126.045 and 125.0430. A Tentative Map for Condominium Conversion may be approved if the decision maker finds that the proposed division of land complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and found it to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and

land use policies. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code regulations and requirements. Staff recommends approval of the project as proposed.

The project site is located within the Coastal Overlay Zone and not subject to new condominium conversion regulations adopted by the City Council on June 13, 2006, until certified by the California Coastal Commission.

### **ALTERNATIVES**

1. Approve Coastal Development Permit No. 263783 and Vesting Tentative Map with Waiver of Undergrounding No. 259966, with modifications.
2. Deny Coastal Development Permit No. 263783 and Vesting Tentative Map with Waiver of Undergrounding No. 259966, if the findings required to approve the project cannot be affirmed.

**Respectfully submitted,**

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**Mike Westlake**  
**Program Manager**  
**Development Services Department**

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**Glenn Gargas**  
**Project Manager**  
**Development Services Department**

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan/Tentative Map
6. Draft CDP Permit
7. Draft CDP Resolution
8. Draft Tentative Map Conditions and Subdivision Resolution
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Project Chronology
12. Proposed Undergrounding of Overhead Utilities
13. Photographs of Existing Front and Rear Elevations