



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: January 17, 2008 **REPORT NO.** PC-08-006

ATTENTION: Planning Commission, Agenda of January 24, 2008

SUBJECT: 4545 GEORGIA TENTATIVE MAP - PROJECT NO. 78971
PROCESS 4

**OWNER/
APPLICANT:** GE, LLC (Attachment 8)/Chris Christensen

SUMMARY

Issue(s) - Should the Planning Commission approve Tentative Map No. 248946 and waive the requirement to underground existing overhead utilities to convert nineteen existing residential units to condominiums at 4545 Georgia Street in the Greater North Park Community Plan area?

Staff Recommendation -

1. **APPROVE** Tentative Map No. 248946; and
2. **APPROVE** waiver to the requirement to underground existing overhead utilities.

Community Planning Group Recommendation – On January 20, 2006, the Greater North Park Community Planning Committee voted 11-0-1 to approve the project on consent.

Environmental Review - The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301(k) as Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on September 27, 2005, and the opportunity to appeal that determination ended October 18, 2005. This Tentative Map has no outstanding environmental appeals.

Fiscal Impact - None with this action. All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - With the proposed conversion of nineteen existing apartments to condominiums, there would be a loss of 19 rentals units and a gain of 19 for-sale units. This Tentative Map request was deemed complete subsequent to February 7, 2004, and therefore is required to comply with the inclusionary affordable housing requirements.

BACKGROUND

This Tentative Map project is subject to the condominium conversion regulations effective June 13, 2006, with the exception of the parking regulations, based on the City Council's specific adoption language for the "new" condominium conversion regulations. At the June 13, 2006, hearing, the City Council adopted regulations for additional requirements for landscaping, a building conditions report, on-site inclusionary housing, noticing and parking. Based on the adopted language and project timing, all of these new regulations apply to this project, with the exception of the parking regulations.

The 0.44-acre project site is located at 4545 Georgia Street in the MR-2500 Zone of the Mid-City Communities Planned District within the Greater North Park Community Plan (Attachment 1). The site is presently developed with a two-story structure containing one three-bedroom unit and 18 two-bedroom units. Twenty off-street parking spaces are provided on the site. Thirteen parking spaces are accessed from the alley at the rear. Five garage spaces and two parking spaces are accessed from Oregon Street. The site is bounded on all sides by multi-family residential uses.

The existing development was constructed in 1986. The site was zoned R-1000, which permitted multi-family residential development at one dwelling unit per 1,000 square feet of lot area or 19 units on the subject site. At the time the property was developed the approved construction met all current regulations. The site is currently zoned MR-2500, which would allow one unit for every 2,500 square feet or 8 units on the subject site. Current parking regulations would require 34 parking spaces on site and 20 parking spaces are provided. Originally the development had 21 parking spaces; however, San Diego Gas & Electric acquired an easement for the placement of a transformer in one of the parking spaces on the northeast corner next to the alley. The development complied with the zoning and development regulations in effect at the time of construction and no Building or Zoning code violations have been recorded against the property.

DISCUSSION

Project Description

The current application proposes a Tentative Map for the subdivision of a 0.44-acre site into one lot to convert nineteen existing residential units into condominiums (Attachment 5). The

applicant is also requesting the requirement for the undergrounding of existing overhead utilities be waived.

Section 125.0410 of the San Diego Municipal Code (SDMC) requires that a Tentative Map be processed for the subdivision of land. According to SDMC Sections 125.0440 and 125.0444, *Findings for Tentative Maps and for Condominium Conversions*, the decisionmaker may approve a Tentative Map for the purposes of the conversion of residential property into a condominium project if the decision maker finds that the proposed conversion complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and determined that it complies with both the Subdivision Map Act and the San Diego Municipal Code.

Undergrounding of Existing Utilities

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 involves a short span of overhead facility (less than 600 feet in length), the conversion is a requirement of a condominium conversion of an existing development and the conversion would not represent a logical extension to an underground facility.

The applicant will be required to underground all existing services to the site per Condition No. 18 of the draft Tentative Map resolution (Attachment 6). The applicant would also be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 17 of the draft Tentative Map resolution (Attachment 6).

The neighborhood currently contains power poles and overhead utility lines in the alley. The utility lines to these poles extend to other properties located north and south within the alley. The poles closest to this property, which carries the lines serving this site, are located within the alley right-of-way. As indicated above, all utilities serving this property will be required to be undergrounded. The waiver is being requested for the requirement to underground adjacent utilities serving the surrounding properties. The City's Undergrounding Master Plan for Fiscal Year 2006 designates the site within Block 3W1, and the date for undergrounding has been established for the year 2027 (Attachment 10).

Project-Related Issues:

All condominium conversion projects not yet heard by July 25, 2006, must conform with the current regulations regarding: inclusionary housing, tenant relocation benefits, the provision of a building conditions report, conformance with landscape regulations, and conformance with noticing requirements. This project is not required to conform with the new parking regulations for condominium conversions, based on specific language adopted by the City Council.

The requested conversion of these residential units to condominiums represents primarily a change in ownership. The applicant has certified that the required 60-day Notice of Intent to Convert to Condominiums were provided to the tenants on March 31, 2005 (Attachment 11).

Inclusionary Housing Ordinance and Tenant Relocation Benefits Conformance:

The project has been conditioned to require the subdivider to conform with the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code) and demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5).

The applicant has elected to pay an in-lieu fee of \$47,985.00 (19,194 square feet x \$2.50 per square foot) to satisfy the Inclusionary Housing requirement, as allowed by the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

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 Land Development Code (Chapter 14, Article 4, Division 5) and have been accepted by staff as conforming with the regulations.

Noticing

The proposed project has been conditioned to conform with all noticing requirements for condominium conversions.

Community Planning Group Recommendation

On January 20, 2006, the Greater North Park Community Planning Committee voted 11-0-1 to approve the project on consent with no conditions (Attachment 7).

CONCLUSION

Staff has reviewed the request for a Tentative Map for the conversion of nineteen residential units into condominiums and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and the waiver from the requirement to underground the existing overhead utilities. Staff recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. **APPROVE** Tentative Map No. 248946 and the waiver from the requirement to underground existing overhead utilities, **with modifications.**
2. **DENY** Tentative Map No. 248946 and waiver of the requirement to underground existing overhead utilities, **if the findings required to approve project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Cherlyn Cac
Development Project Manager
Development Services Department

WESTLAKE/CC

- Attachments:
1. Project Location Map
 2. Community Plan Land Use Map
 3. Aerial Photograph
 4. Project Data Sheet
 5. Tentative Map and Landscape Plan
 6. Draft Map Conditions and Subdivision Resolution
 7. Community Planning Group Recommendation
 8. Ownership Disclosure Statement
 9. Project Chronology
 10. Utility Underground Project Schedule
 11. Sample 60-Day Notice of Intent to Convert
 12. Photos of Existing Elevations
 13. Building Conditions Report (under separate cover)