



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: March 7, 2008 **REPORT NO. PC-08-031**

ATTENTION: Planning Commission, Agenda of March 13, 2008

SUBJECT: 3727 GRIM TENTATIVE MAP; PROJECT NO. 88579
PROCESS FOUR

OWNER: Parashos Trust, Peter and Voula Parashos, Trustees

APPLICANT: DGB Survey & Mapping

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map to allow the conversion of 14 existing residential rental units into condominiums, including a waiver of the requirement to underground the existing overhead utilities, at 3727-3737 Grim Avenue, within the Greater North Park Community Plan area?

Staff Recommendation:

1. **Approve** Tentative Map No. 282773; and
2. **Approve** a waiver of the requirement to underground the existing overhead utilities.

Community Planning Group Recommendation: The Greater North Park Planning Committee voted 11-0-0 to recommend denial of the proposed project on July 17, 2007, as discussed further within this report (Attachment 7).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301, on February 24, 2006, and the opportunity to appeal that determination ended March 17, 2006.

Fiscal Impact Statement: 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 14 existing apartments to condominiums, there would be a loss of 14 rental units and a gain of 14 for-sale units. The project is subject to the current inclusionary housing and tenant relocation assistance regulations.

BACKGROUND

This Tentative Map project is subject to the condominium conversion regulations that became 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, onsite 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. Accordingly, this project has been reviewed against the new regulations and this project can proceed to its discretionary hearing.

The 0.29-acre site is located 3727 – 3737 Grim Avenue, in the MR-1750 Zone of the Mid-City Communities Planned District and the Transit Area Overlay Zone, within the Greater North Park Community Plan area (Attachment 2). The site is presently developed with two 2-story structures containing a total of 14 apartment units consisting of four 1-bedroom units and ten 2-bedroom units. There are 23 parking spaces on the site: 19 spaces are accessed from the alley at the rear and four spaces area accessed from Felton Street at the front. The site is surrounded by multi-family properties.

The existing buildings were approved for construction in 1986, when the site was zoned R-600, which would have allowed for the current density of 14 units. The site is currently zoned MR-1750, which would allow one unit per 1,750 square feet of lot area, or seven units on this 12,536-square-foot project site. The Community Plan designates the site for multi-family development at a rate of 15-25 dwelling units per acre, or four to seven units allowed on this site. At the time building permits were approved, the project site required 21 off-street parking spaces; although 24 off-street parking spaces were provided. The San Diego Municipal Code requires 23 off-street parking spaces, which are being provided on-site. As discussed previously, the new condominium conversion parking requirements that were approved in June 2006, do not apply to this project.

The development complies 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. The project maintains previously conforming rights which allow the current parking and density count, as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code.

DISCUSSION

Project Description:

The project proposes a Tentative Map for the subdivision of a 0.29-acre site into one lot to

convert 14 existing dwelling units into condominiums (Attachment 5). The applicant is also requesting that the requirement to underground the 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 or a Vesting 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, Expense* in that the conversion involves a short span of overhead facility (less than 600 feet in length), it has been determined that such conversion is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area, the conversion would represent an isolated undergrounding with a minimum probability of extension in the future, and 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 service 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.

The project site is served by power poles and overhead utilities lines located in the alley right-of-way at the rear of the property. These utility lines also service the adjacent properties. 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 3P, and the date for undergrounding has been established for the year 2046 (Attachment 10).

Community Planning Group and Neighborhood Recommendations:

The Greater North Park Planning Committee voted 11-0-0 to recommend denial of the proposed project on July 17, 2007. The minutes from the group indicated their denial was based on "the lack of a clear plan, clear community benefit, and responsible property management." The applicant has elected to proceed with the project.

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 Notices of Intent to Convert to Condominiums were provided to the tenants on March 24, 2005 (Attachment 11).

Inclusionary Housing Ordinance and Tenant Relocation Benefits Conformance:

The project has been conditioned to require the subdivider 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) 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 \$27,120 (\$2.50 x 10,848 square feet) 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 new noticing requirements for condominium conversions.

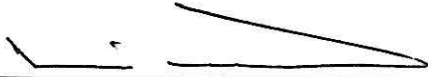
Conclusion:

Staff has reviewed the request for a Tentative Map for the conversion of 14 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. Staff believes the requirement findings can be supported and recommends the Planning Commission approve the project as proposed.

ALTERNATIVES:

1. **Approve** Tentative Map No. 282773, **with modifications.**
2. **Deny** Tentative Map No. 282773 **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Michelle Sokolowski
Development Project Manager
Development Services Department

WESTLAKE/MS

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
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 Undergrounding Master Plan Map
11. Sample 60-Day Notice of Intent to Convert
12. Photos of Existing Elevations
13. Building Conditions Report (under separate cover)