



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: October 16, 2008 REPORT NO. PC-08-133

ATTENTION: Planning Commission, Agenda of October 23, 2008

SUBJECT: 1949 GRAND AVENUE TENTATIVE MAP - PROJECT NO. 96319.
PROCESS 4

**OWNER/
APPLICANT:** Mr. Michael E. Turk, managing member of West of Ingraham LLC

SUMMARY

Issue(s): Should the Planning Commission approve a Coastal Development Permit and Tentative Map to convert four existing residential apartment units into residential condominiums and create two office commercial condominium units, with a request to waive the requirement to underground existing overhead utilities within the Pacific Beach Community planning Area?

Staff Recommendation:

1. APPROVE Coastal Development Permit No. 314328; and
2. APPROVE Tentative Map No. 592418 and the request to waive the requirement to underground existing overhead utilities.

Community Planning Group Recommendation: On September 4, 2008, the Pacific Beach Community Planning Committee voted 8-2-0 to recommend approval of the proposed project with conditions as discussed in this report.

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, 15301 (k), as "Existing Facilities". This project is not pending an appeal of the environmental determination. This CEQA determination was made on March 27, 2006. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on July 31, 2006.

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 four existing apartment units into condominiums. There would be a loss of four rental units and a gain of four 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 6,244 square foot site is located at 1949 Grand Avenue in the CN-1-2 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone and Parking Impact Overlay Zone. The development is located on a parcel that is designated Community Commercial within the Pacific Beach Community Plan area (Attachment 2). The surrounding area is developed with multi-family, mixed use and commercial 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 four residential condominium dwelling units and two commercial office condominium units.

The existing development is a two-story mixed-use building with four residential dwelling units on the second floor and two commercial offices spaces on the first floor that was constructed in 1978. At the time the property was developed the approved construction met all the current regulations. The mixed use building includes four, one-bedroom units, and two commercial office areas ranging in size from approximately 609 square feet to 652 square feet each. The original development provided twelve parking spaces, all accessible from the alley to the south.

No Building or Zoning Code violations are recorded against the property. The project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code. If this property was undeveloped today, under the current CN-1-2 Zone development regulations, up to four residential dwelling units could be developed along with commercial office space.

DISCUSSION

Project Description:

The project proposes to convert the existing mixed-use building, into four residential condominium dwelling units and two commercial office condominium units. Utilities are located above ground in the right-of-way of the alley at the rear of the property, south of Grand Avenue and east of Lamont Street. The proposed mixed-use building was constructed in 1978 and consists of a two-story, light earth tone stucco exterior walls with a pitched Spanish clay tile roof. The project has a total of twelve off-street parking spaces, all accessible from 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 of construction.

Undergrounding Waiver Request:

The project site is located in Block 2-U1 of the City's Undergrounding Master Plan and is not currently scheduled for undergrounding (Attachment 13). 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 one additional power pole, at the south west corner 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 and Tenant Relocation Benefits adopted by the City Council on March 15, 2004. Conditions Nos. 12 and 13 of the draft Tentative Map Resolution (Attachment 8) require compliance with this ordinance. In order to meet the Inclusionary Housing requirement the applicant has elected to pay the in-lieu fee, which is calculated to be \$3,045.

The Community Planning Group voted 8 to 2 to recommend approval of the project with two conditions. To move a side door on the south side of the garage to the west side and to require that all the parking spaces be used for parking and not storage. The applicant has agreed to make these changes.

Building Conditions Report and Landscape Plan Requirements:

This project was deemed complete on March 4, 2006. At that time, the condominium conversion regulations did not require a Building Conditions Report or landscape improvements. The environmental determination was subsequently appealed to the City Council (it was part of the original 76 CEQA appeals by Cory Briggs). On July 31, 2006, the City Council denied the CEQA appeal by Resolution No. R-301780. That denial permitted this project to move forward through the review and hearing process, subject to the regulations that were in effect at the time the project was deemed complete. However, the applicant will provide the Planning Commission, under separate cover, a list of proposed physical improvements to the property along with a landscape plan of proposed landscape improvements.

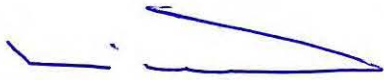
Conclusion:

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.

ALTERNATIVES

1. Approve Coastal Development Permit No. 314328 and Tentative Map with Waiver of Undergrounding No. 592418, with modifications.
2. Deny Coastal Development Permit No. 314328 and Tentative Map with Waiver of Undergrounding No. 592418, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



**Mike Westlake
Program Manager
Development Services Department**



**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. Housing Commission Letter

13. Proposed Undergrounding of Overhead Utilities
14. Photos of Existing Front and Rear Elevations



Aerial Photo

1949 GRAND AVENUE TENTATIVE MAP – 1949 GRAND AVENUE

PROJECT NO. 96319





Project Location Map

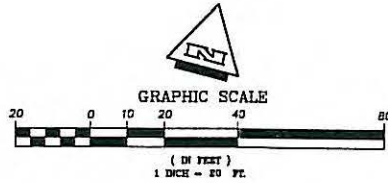
1949 GRAND AVENUE TENTATIVE MAP – 1949 GRAND AVENUE
 PROJECT NO. 96319



PROJECT DATA SHEET

FOR CONDOMINIUM CONVERSIONS

PROJECT NAME:	1949 Grand Avenue Tentative Map	
PROJECT DESCRIPTION:	Conversion of four residential units and commercial space into four residential and two commercial office condominium units and a waiver to underground utilities.	
COMMUNITY PLAN AREA:	Pacific Beach Plan Area.	
DISCRETIONARY ACTIONS:	Coastal Development Permit & Tentative Map with a utility underground waiver request	
COMMUNITY PLAN LAND USE DESIGNATION:	Community Commercial	
<u>CURRENT ZONING INFORMATION:</u>	<u>CONSTRUCTED:</u>	
ZONE: CN-1-2: commercial zone	CN	
DENSITY: one dwelling unit per 1,500 sq. ft. of lot area.	One unit per 1, 500 sq. ft. of lot area	
HEIGHT LIMIT: 30-Foot maximum height limit.	30 foot maximum	
LOT SIZE: 5,000 square-foot minimum lot size.	10,000 square-foot minimum	
FLOOR AREA RATIO: 1.00 maximum.	1.00 maximum	
FRONT SETBACK: 0 feet.	14.9 feet	
SIDE SETBACK: 10/0 feet.	3.8/3.9-feet	
STREETSIDE SETBACK: 0 feet.	NA	
REAR SETBACK: 10/0 feet.	48-feet	
PARKING: 12 spaces required	12 spaces	
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Community Commercial; CN-1-2.	Commercial – Gas Station
SOUTH:	Multi-Family Residential; RM-1-1.	Multi-Family Residential
EAST:	Community Commercial; CN-1-2.	Mixed Use Multi-Family Residential & Com. Office
WEST:	Community Commercial; CN-1-2.	Mixed Use Multi-Family Residential & Com. Office
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On September 4, 2008, the Pacific Beach Community Planning Committee voted 8-2-0 to recommend approval of the proposed project.	



ZONING INFORMATION

EXISTING AND PROPOSED ZONE: CN-1-2
 COMMUNITY PLAN NAME: PACIFIC BEACH
 OVERLAY ZONES: CITY COASTAL, COASTAL HEIGHT LIMIT
 PARKING IMPACT

CITY OF SAN DIEGO

DEVELOPMENT SUMMARY

SUMMARY OF REQUEST:
 CONVERT 4 EXISTING RESIDENTIAL DWELLING UNITS TO CONDOMINIUMS
 CONVERT 2 EXISTING OFFICE SPACE UNITS TO CONDOMINIUMS
 COASTAL DEVELOPMENT PERMIT
 ONE LOT FINAL MAP

STREET ADDRESS: 1949 GRAND AVENUE
 ON BS OF CW SIDE
 BETWEEN LAMONT STREET AND MORRELL STREET

SITE AREA:
 TOTAL SITE AREA: (6244.69 SF) (0.1433 AC.)

DENSITY: (RESIDENTIAL)(COMMERCIAL)
 MAXIMUM NO. OF UNITS ALLOWED PER ZONE: 6 UNITS
 NUMBER OF EXISTING UNITS TO REMAIN ON SITE: 6 UNITS
 NUMBER OF PROPOSED UNITS ON SITE: 0 UNITS
 TOTAL NUMBER OF UNITS PROVIDED ON THE SITE: 6 UNITS

YARD/SETBACK:
 MINIMUM FRONT: 10'
 MINIMUM SIDE: 10'
 MINIMUM STREET SIDE: 10'
 MINIMUM REAR: 10'

MARKING CRITERIA:
 RESIDENTIAL COMMERCIAL INDUSTRIAL
 MIXED USE OTHER
 TOTAL NUMBER OF SPACES REQUIRED BY ZONE: 12
 TOTAL NUMBER OF SPACES PROVIDED ON-SITE: 12

TYPE OF UNIT	NUMBER OF TYPE	PARKING REQUIRED PER UNIT	TOTAL PER TYPE
1 BR UNIT	4	1.75	7
COMMERCIAL	2	5:1000sf	5
TOTAL REQUIRED BY ZONE			12
TOTAL PROVIDED ON-SITE			12

INIT AREAS

TYPE OF UNIT	NUMBER OF TYPE	SQUARE FOOTAGE PER UNIT	TOTAL PER TYPE
1 BR UNIT	4	609	2436
OFFICE	2	652	1304

DEVELOPMENT NOTES:

THIS SUBDIVISION IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. TOTAL NUMBER OF CONDOMINIUM DWELLING UNITS IS 4. THE TOTAL NUMBER OF COMMERCIAL UNITS IS 2. THE TOTAL NUMBER OF CONDOMINIUM UNITS IS 6.

MONUMENTATION & MAPPING

ALL LOT CORNERS WILL BE SET AND A ONE LOT FINAL MAP WILL BE FILED.

EXISTING IMPROVEMENTS

SEWER DRAWING NO. 421-D
 WATER DRAWING NO. UNAVAILABLE

EXISTING & PROPOSED EASEMENTS:

NONE

LEGEND:

- INDICATES PROPERTY LINE
- INDICATES EXISTING BLOCK WALL
- INDICATES OVERHEAD WIRES
- INDICATES DIRECTION OF DRAINAGE
- INDICATES WATER METER
- INDICATES POWER POLE
- INDICATES GAS METER
- INDICATES PARKING SPACE
- INDICATES TRASH ENCLOSURE
- INDICATES FINISH FLOOR
- INDICATES SEWER CLEAN OUT
- INDICATES SEWER LATERAL
- INDICATES WATER SERVICE
- INDICATES FOUND LEAD AND DISK

PROFESSIONAL LAND SURVEYOR:

SAN DIEGO LAND SURVEYING & ENGINEERING, INC.
 9665 CHESAPEAKE DRIVE, SUITE 445
 SAN DIEGO, CALIFORNIA 92123 (858) 565-8362
 FAX: (858) 565-4354

Robert J. Bateman 05-12-08
 ROBERT J. BATEMAN, P.L.S. 7046 DATE
 REGISTRATION EXPIRES DECEMBER 31, 2008



Prepared By: SAN DIEGO LAND SURVEYING AND ENGINEERING, INC. 9665 CHESAPEAKE DRIVE, SUITE 445 SAN DIEGO, CA 92123-1329 PHONE: 858-665-8362 FAX: 858-665-4354 EMAIL: rbateman@sdlse.com			
Consultants:		Project Soil Condition: Existing developed site.	
Benchmark: SOUTHEAST BRASS PILE MORRELL STREET AND GRAND AVENUE ELEVATION=44.872 M.S.L.		Source of Topography: Field survey by San Diego Land Surveying on 6-25-04	
Project Legal Description: PARCEL 2 OF PARCEL MAP NO. 2888, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JULY 18, 1974, BEING A DIVISION OF LOTS 11 THROUGH 16, IN BLOCK 248 OF PACIFIC BEACH, ACCORDING TO MAP NO. 791.		Project Permits Required: Tentative Map Coastal Development Permit One Lot Final Map	
LAMBERT COORDINATES NAD 27 = 231-1,597 NAD 83 = 1,871-0,258 A.P.N. 424-181-27		Project Dates: Number of Stories: 2 Proposed use: Commercial / Multi-Family Res. Existing use: Commercial / Multi-Family Res. Zone Designation: CM-1-2 Year of Construction (exist. structure): 1978	
Project Name: 1949 GRAND AVENUE CONDOMINIUM CONVERSION		Project Address: 1949 Grand Avenue San Diego, CA 92109	Project Owner: Michael E. Turk 4541 Ingraham Street San Diego, CA 92109
Sheet Title: TENTATIVE MAP No. Project No. 96319		Scale: 1" = 20' Original Date: February 14, 2008 Revised: May 1, 2008 Revised: August 23, 2008	
		Revised: Sept. 13, 2006 Revised: May 12, 2008 Sheet 1 of 1	