

**DATE ISSUED:** November 25, 2004                      **REPORT NO.** PC-04-203

**ATTENTION:** Planning Commission, Agenda of December 2, 2004

**SUBJECT:** CAMPUS AVENUE TENTATIVE MAP – PROJECT NO. 31999  
PROCESS FOUR

**OWNER/  
APPLICANT:**                      **DAN FLOIT** (Attachment 8)  
FLOIT HOMES

**SUMMARY**

**Issue(s)** – Should the Planning Commission approve a Tentative Map for the conversion of seven (7) existing residential units into condominiums and waive the requirement to underground existing overhead utilities at 4136 Campus Avenue, within the Uptown Community Plan area?

**Staff Recommendation:**

1.     **Approve** Tentative Map No. 88464; and
2.     **Approve** waiver to the requirement for the undergrounding of the existing overhead utilities.

**Community Planning Group Recommendation** - On August 3, 2004, the Uptown Planning Committee considered the project and voted 9-3-1 with one recusal in favor of the project with 4 recommendations, which are discussed in the report (Attachment 7).

**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 project are paid by the applicant.

**Code Enforcement Impact** – None with this action.

**Housing Impact Statement** – With the proposed conversion of seven existing apartments to condominiums, there would be a loss of seven rental units and a gain of seven for-sale units. This condominium conversion project was deemed complete on April 18, 2004, and is therefore subject to the new regulations regarding inclusionary housing and tenant relocation assistance.

## **BACKGROUND**

The 0.16-acre site is located at 4136 Campus Avenue north of Washington Street in the MR-1000 Zone of the Mid-City Communities Planned District within the Uptown Community Plan area (Attachment 3). The site is presently developed with four 2-story buildings containing a total of seven residential units. There are 3 two-bedroom units and 4 one-bedroom units. The development also consists of 4 garage spaces, which are accessed from the alley. The site is bounded by an educational facility to the east, a church to the north, and multi-unit residential development to the west and south.

The site is currently zoned MR-1000 and is within the Mid-City Communities Planned District established in May 1987. Prior zoning of the site included the R-3 (R-1000) zone applied in March 1976, and the R-4 (R-400) Zone established in October 1930. Three of the four buildings were built in the 1950s subject to the R-400 Zone, which allowed 5 units and did not require any off-street parking. The fourth building was built in 1968, also subject to the R-400 Zone requirements, which allowed the addition of two units for a total of seven units on the 0.16-acre site and required a minimum of one space per unit and the doubling of off-street parking requirement on sites that lacked required parking. Therefore, a total of 4 spaces was required and provided. 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.

The project is in compliance with the current density requirement of the MR-1000 Zone, which allows one unit per 1,000 square feet of lot area or a total of 7 units on the subject site. The project does not meet the current parking requirement of 10 parking spaces for the seven unit development. However, the project has previously conforming rights to be maintained 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 0.16-acre site to consolidate 2 lots into one lot and for the conversion of seven multi-family dwelling units into condominiums (Attachment 5). The applicant is also requesting that the requirement for the undergrounding of 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 for the purposes of the conversion of residential property into a condominium project if the decisionmaker 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 Waiver Request

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 a) the conversion involves a short span of overhead facility (less than 600 feet in length), and b) the conversion is a requirement of 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 service run to any new or proposed structures within the subdivision per Condition No. 4 of the draft Tentative Map resolution (Attachment 6).

The neighborhood currently contains power poles and overhead utility lines within the right-of-ways of Campus Avenue and the alley. Service to the site is provided via overhead utility lines connected to two power poles; one located across the project site on the east side of Campus Avenue and the other located across the project site on the west side of the alley. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 3W, which is proposed to be undergrounded in Fiscal Year 2010 (Attachment 10).

#### **COMMUNITY PLANNING GROUP RECOMMENDATION:**

The Uptown Planning Committee considered the project on August 3, 2004 and voted 9-3-1 with one recusal in favor of the project with the following recommendations: 1) preserve or replace historic sidewalk stamps and scoring, 2) bring up existing landscaping into compliance with current regulations and the Street Design Manual; 3) preserve on-street parking and increase on-street and off-street parking by re-striping and removal of underutilized curb cuts; and 4) remove the curb cut and driveway in the front yard, remove the concrete pad and landscape front yard, replace adjacent curb and gutter, and remove parkway pavers and plant according to current standards (Attachment 7). The project proposes the conversion of the existing rental units to for sale units with no physical changes to the development. All existing parking and landscaping will be maintained. The project has been conditioned to require the reconstruction of the existing driveway at Campus Avenue with City standard curb and gutter, and to obtain an Encroachment Maintenance and Removal Agreement for the existing pavers in the parkway at Campus Avenue.

**PROJECT RELATED ISSUES:**

The requested conversion of these residential units to condominiums represents primarily a change in ownership.

All condominium conversion projects Deemed Complete on or after February 7, 2004 must conform with the new regulations regarding inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. This proposed project was Deemed Complete on April 18, 2004, and is therefore subject to these new regulations. The project has been conditioned to require the subdivider pay an Inclusionary Affordable Housing In-Lieu Fee of \$8,343.50 based on \$0.50 per square footage fee, pursuant to the Affordable Housing Requirements of 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.

**CONCLUSION:**

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

**ALTERNATIVES**

1. **Approve Tentative Map No. 88464, with modifications.**
2. **Deny Tentative Map No. 88464, if the findings required to approve the project cannot be affirmed.**

**Respectfully submitted,**

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**Marcela Escobar-Eck**  
**Deputy Director, Project Management Division**  
**Development Services Department**

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**Firouzeh Tirandazi**  
**Development Project Manager**  
**Development Services Department**

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**Attachments:**

1. Aerial Photograph of Project Site
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Tentative Map
6. Draft Map Conditions and Subdivision Resolution
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Chronology
10. City's Undergrounding Master Plan – Map-3W
11. Copy of Sample Notice to Tenants

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