

**DATE ISSUED:** June 2, 2005 **REPORT NO.** PC-05-115

**ATTENTION:** **Planning Commission, Agenda of June 9, 2005**

**SUBJECT:** CPI 3511 TENTATIVE MAP – PROJECT NO. 40146  
PROCESS FOUR

**OWNER/  
APPLICANT:** CORONADO PACIFIC INVESTMENT, Ltd, (ATTACHMENT 8)  
ALGERT ENGINEERING, APPLICANT

**SUMMARY**

**Issue(s)** - Should the Planning Commission approve a Tentative Map for the conversion of eighteen (18) existing residential units into condominiums and waive the requirement to underground existing overhead utilities at 3511 Sixth Avenue, within the Uptown Community Plan area?

**Staff Recommendation:**

1. **Approve** Tentative Map No. 113336and
2. **Approve** waiver to the requirement for the undergrounding of the existing overhead utilities.

**Community Planning Group Recommendation** – On May, 16, 2005, the Uptown Planners Project Review Subcommittee voted unanimously to recommend approval of the proposed project on the June 7, 2005, Consent Agenda with the standard condominium conversion conditions and one specific recommendation for a screening element for the parking area (Attachment 7). Staff will report to the Planning Commission the outcome of the full board vote on June 9, 2005. The Project Review Subcommittee recommendations are discussed in further detail within this report

**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 18 existing apartments to condominiums, there would be a loss of 18 rental units and a gain of 18 for-sale units. This condominium conversion project was deemed complete on June 23, 2004, and is therefore subject to the new regulations regarding inclusionary housing and tenant relocation assistance.

## **BACKGROUND**

The 0.28 -acre site is located at 3511 Sixth Avenue in the MR-800B Zone of the Mid-City Communities Planned District within the Uptown Community Plan area (Attachment 3). The site is presently developed with a, four-story structure containing 15 two-bedroom units and 3 one-bedroom units, with off-street parking spaces accommodating 24 vehicles. All of the off-street parking spaces are accessed from alleys at the rear and south side of the property. The surrounding neighborhood is developed a mix with multi-family development and commercial retail and office uses and the northwest portion of Balboa Park is located immediately to the south of the project site.

The existing improvements were constructed in 1969 when the site was zoned R-4 and permitted a maximum of 9 units. Current density calculations for the MR-800B Zone would yield a maximum of 15 units based on the total lot area. The parking requirement in effect for multi-family residential use in 1969 was one space for each dwelling unit however the development provided six additional spaces that are required to be maintained as part of the conversion. Current parking regulations would require 30 spaces based on the location of the project within a Transit Area Overlay Zone and the number and size of the units. 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 does not conform to current density or parking regulations of the MR-800B Zone 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**

The project proposes a Tentative Map for the subdivision of a 0.28 -acre site to convert 18 existing dwelling units into condominiums on four existing lots (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.

**COMMUNITY PLANNING GROUP RECOMMENDATION:**

The Uptown Planners Project Review Subcommittee voted to recommend approval of the proposed project on May 16, 2005, recommending the full board approve the item on the June 7, 2005, Consent Agenda with the standard recommendations providing the right of first refusal to purchase be given to current tenants; historic sidewalk stamps/scoring be preserved; new and appropriate landscaping be incorporated into the project; and onsite parking sites be maximized (Attachment 7). The Review Committee included a project specific condition requiring a screening element for the parking spaces along the alley.

The Tentative Map has been conditioned to provide the right of first refusal to the existing tenants as required by the State Map Act. The Land Development Code requires the preservation of historical sidewalk stamps/scoring. There is no construction proposed with this project, therefore no additional landscaping or parking is required. The applicant has agreed to provide a screening element for the parking area using a combination of lattice work and plant material.

**PROJECT RELATED ISSUES:**

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 was provided to the tenants on June 30, 2004 (Attachment 11).

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 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 and the conversion involves a short span of overhead facility (less than 600 feet in length). The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 4f of the draft Tentative Map resolution (Attachment 6).

The neighborhood currently contains power poles and overhead utility lines within the alley right-of-way at the rear of the project site. There is one power pole located within the center of the property fronting the alley. The utility lines to this pole extend to others located both north and south within the alley. Staff has concluded that to accomplish the underground effort for this site the existing pole would have to be relocated to the northeast corner of the property and an additional pole would be required at the southeast corner. The total underground effort would only be 105 linear feet. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 3T, and the date for undergrounding has been established for the year 2012 (Attachment 10).

## Affordable Housing

All condominium conversion projects Deemed Complete on or after February 7, 2004, must comply 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 June 23, 2004, and is therefore subject to these new regulations. 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 in-lieu fee for the proposed conversion would be \$34,8760, which is based on a calculation using the size and number of units and the date the project was deemed to be a complete application.

## CONCLUSION:

Staff has reviewed the request for a Tentative Map for the conversion of 18 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. 113336**with modifications.**
2. **Deny** Tentative Map No. 113336**if the findings required to approve the project cannot be affirmed.**

**Respectfully submitted,**

---

**Jeffrey D. Strohminger**  
**Assistant Deputy Director**  
**Customer Support and Information Division**  
**Development Services Department**

---

**Patrick Hooper**  
**Project Manager**  
**Customer Support and Information Division**  
**Development Services Department**

STROHMINGER/JPH

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
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 3T
11. Copy of 60-Day Notice of Intent to Convert (Sample)