

**DATE ISSUED:** March 30, 2005

**REPORT NO. PC-05-125**

**ATTENTION:** Planning Commission, Agenda of April 7, 2005

**SUBJECT:** COLLEGE VILLA TENTATIVE MAP – PROJECT NO. 58808  
PROCESS FOUR

**OWNER/  
APPLICANT:** LDV, LLC and ZENCARO PROPERTIES, INC. Owners/  
Spencer Stein, Applicant

**SUMMARY**

**Issue(s)** - Should the Planning Commission approve a Tentative Map for the conversion of sixteen (16) existing residential units into condominiums and waive the requirement to underground existing (high voltage) overhead utilities for an Affordable/In-Fill Housing project at 4504 60th Street in the Central Urbanized Planned District within the Eastern Area neighborhood of the Mid-City Communities Plan?

**Staff Recommendation:**

1. **Approve** Tentative Map No. 173674and
2. **Approve** waiver to the requirement for the undergrounding of the existing overhead utilities.

**Community Planning Group Recommendation** – On March 14, 2005, the Eastern Area Planning Committee voted 10-1-1 to recommend approval of the proposed project with no conditions (Attachment 8).

**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 16 existing apartments to condominiums, there would be a loss of 16 rental units and a gain of 16 for-sale units. This condominium conversion project is an Affordable/In-Fill Housing Expedite project which complies with Council Policy 600-27(D) by providing 100% of the units within the project at a sale price affordable to households earning less than 150% AMI. The project was deemed complete on December 16, 2004; therefore, the project is subject to the Tenant Relocation Assistance Regulations.

## **BACKGROUND**

The 0.36-acre site is located at 450460<sup>th</sup> Street, south of El Cajon Boulevard in the Eastern Area neighborhood of the Mid-City Communities Plan, and falls within the RM-1-3 zone of the Central Urbanized Planned District (Attachment 2). The site is designated within the Mid-City Communities Plan for Residential use, 21-25 dwelling units per acre (Attachment 3). The site is presently developed with a two and three-story structure 16-unit apartment building. The building consists of 16 two bedroom apartment units, as well as 31 off-street parking spaces.

The 16-unit project was built in 1987 when the zone was MR-1000a multi-family residential zone, which permits one unit per 1,000 square feet and would allow 16 units on the property. The site was incorporated into the RM-1-3 zone of the Central Urbanized Planned District in October 2000, which permits one unit per 2,000 square feet and currently would allow eight units on the property. The project provides 31 off-street parking spaces where current regulations require 36 for the project site, which is within a Campus Impact Area. The project deviates from current density allowances, landscape, parking, and may deviate from other development criteria. However, the project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the San Diego Municipal Code (SDMC).

The existing development is bounded on the north and west by existing development consisting of two and three-story, multi-family residential development. The property across the street and to the south of the subject property consists of a mixture of single family and multi-family residential development. The immediate area is surrounded by sites with similar zoning and land use designation. The Mid-City Communities Plan encourages the provision of market rate housing in a variety of types, sizes and costs to meet the needs of residents in all socioeconomic brackets and also recommends the rehabilitation of existing housing and the fostering of residential ownership in Mid-City.

## **DISCUSSION**

### **Project Description:**

The project proposes a Tentative Map for the subdivision of a 0.36-acre site to convert 16 existing dwelling units into condominiums on one existing lot (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 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 SDMC. Staff has reviewed the proposed condominium conversion and determined that it complies with both the Subdivision Map Act and the SDMC.

**Undergrounding Waiver Request:**

The project site is located on the west side of 60<sup>th</sup> Street, south of El Cajon Boulevard and north of Vale Way, within Council District Seven. The existing development has already been undergrounded to the existing utility pole located within the right-of-way. However, there are two utility poles located across the alley within the right-of-way and one utility pole located on the northeast corner of the property. All three utility poles contain high voltage lines and are currently supplying utility service to the surrounding community. The request is to waive the requirement of undergrounding these utility poles. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 7H, and a date for undergrounding has not been determined by the City Council (Attachment 6).

SDMC 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 involves a short span of overhead facilities less than a full block in length 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. 6 of the draft Tentative Map resolution (Attachment 7).

**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 September 30, 2004 (Attachment 11). Copies of the notices are on file in the Development Services Department. A sample of the 60-day Notice and a "Information for Tenants" letter that was provided by the applicant is also attached (Attachment 11).

The proposed project is an Affordable/In-Fill Housing Expedite project which complies with Council Policy 600-27(D) by providing 100% of the units within the project at a sale price affordable to households earning less than 150% AMI. The project was deemed complete on December 16, 2004; therefore, the project is subject to the Tenant Relocation Assistance Regulations.

**CONCLUSION:**

Staff has reviewed the request for a Tentative Map for the conversion of 16 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 SDMC regulating Tentative Maps and Council Policy 600-25 regulating undergrounding of existing overhead utilities. Staff has determined that the development is consistent with the land use designation of the Mid-City Communities Plan and believes the required findings can be supported (Attachment 7). Therefore, staff recommends that the Planning Commission acknowledge the Environmental Exemption and approve the project as proposed.

**ALTERNATIVES**

1. **Approve** Tentative Map No. 173674 with modifications.
2. **Deny** Tentative Map No. 173674 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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**Jeffrey A. Peterson, Project Manager**  
**Development Project Manager**  
**Development Services Department**

ESCOBAR-ECK/JAP

**Attachments:**

1. Aerial Photo
2. Project Location Map
3. Community Plan Land Use Map
4. Project Data Sheet
5. Tentative Map
6. City's Undergrounding Master Plan – Block 7H
7. Draft Map Conditions and Subdivision Resolution
8. Community Planning Group Recommendation
9. Ownership Disclosure
10. Project Chronology
11. Copy of Tenant Notices