

DATE ISSUED: June 2, 2005 **REPORT NO. PC-05-156**

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

SUBJECT: MISSOURI STREET TENTATIVE MAP - PROJECT NO. 50055
PROCESS 4

**OWNER/
APPLICANT:** DAVID LEPRE, Individual, CRAIG RUBIN, Individual, KEN AND
GINA RUBIN, Husband and Wife, and BUDD AND JOANNE RUBIN,
Husband and Wife.

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map, Waiver of Undergrounding and a Coastal Development Permit to convert eight (8) residential apartment units to condominium ownership at 911 Missouri Street within the Pacific Beach Community Plan area?

Staff Recommendation:

1. APPROVE Tentative Map and Waiver of Undergrounding No. 148367 and
2. APPROVE Coastal Development Permit No. 204655

Community Planning Group Recommendation: The Pacific Beach Community Planning Committee approved this application by a vote of 14-0 on January 25, 2005, with no conditions.

Other Recommendations: None.

Environmental Review: The project is Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Article 19, Section 15301(k), existing

facilities.

Fiscal Impact – None with this action. All costs associated with the processing of this project are paid by the applicant through maintenance of a deposit account with the City of San Diego.

Code Enforcement Impact: None with this action.

Housing Impact Statement: Approval of the proposed conversion of eight (8) residential apartment dwelling units to condominiums would result in an increase of eight (8) for-sale market-rate units and the loss of eight (8) existing rental units. There is no loss or addition to the supply or demand for housing in the Pacific Beach Community.

BACKGROUND

The 6,259 square-foot site is located at 911 Missouri Street on the south side between Bayard Street and Cass Street in the RM-1-1 zone of the Pacific Beach Community Plan area. The existing eight (8) residential unit building was constructed in 1969 when the site was zoned R-4 and would have permitted up to eight (8) dwelling units. The site is within the Coastal Overlay Zone (non-appealable area), and Coastal Height Limit Zone. The existing building, is a two-story structure with four (4) parking spaces within garages accessed off the abutting alley and four (4) open parking spaces accessed from Missouri Street. It is assumed that the development complied with all development criteria at the time as building and occupancy permits were approved. Property sites in the adjacent areas are developed with a varied mix of residential developments, commercial services within walking distance and the coastal resources of the Pacific Ocean two blocks to the west and Mission Bay approximately one-half mile to the south.

This project is subject to the City of San Diego's, 'Inclusionary Housing Ordinance', Coastal Affordable Housing Replacement Regulations and the Condo Conversion Ordinance. The San Diego Housing Commission has stipulated that the applicant does not have an obligation to provide affordable replacement housing or an in-lieu fee pursuant to the Coastal Regulations. A tenant income survey was performed by the San Diego Housing Commission and the survey identified no low- or moderate-income tenants in accordance with established criteria. However the project is required to pay an in-lieu fee of \$4,593.75 in accordance with the City of San Diego's Inclusionary Housing Ordinance.

DISCUSSION

Project Description:

The project proposes a Tentative Map and Coastal Development Permit for the subdivision of this 6,259 square-foot site to consolidate the lots for the conversion of eight (8) residential apartments units into condominiums. The conversion of the eight (8) apartments to

condominiums would remove eight (8) rental units from the market within the Pacific Beach Community and create eight (8) new units for ownership at a generally accepted entry level cost. The tenants have the right of first refusal to purchase his or her unit at the same or better terms than those that will be offered to the public. No other entitlements accrue to the Owner/Permittee through this action other than the change of ownership to condominiums. The site has been fully developed for approximately 36 years.

Waiver of Undergrounding:

The Council District 2 'neighborhood' in which the project site is located is in Block 2-V and a date and schedule for undergrounding has not been determined by the City Council. (Attachment No. 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* (Attachment No. 14), 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, per Condition No. 6 of the draft Subdivision Resolution.

There are no power poles adjacent to this site within the alley abutting this site. However, there is one power pole in the alley along the south side. If the undergrounding were required, two new power poles would be provided on the south side of the alley opposite the property corners and only 50-feet of existing power lines would be undergrounded. The visual result would be the 'crowding of existing and new power poles and the 50-feet of undergrounding would look unbalanced. No power poles or lines serve the property from Missouri Street.

Project-Related Issues:

The requested conversion of these residential units to condominiums represents primarily a change in ownership and key applicable issues to the review and consideration of approval is that this project application was deemed complete after February 6, 2004, and is subject to the condominium amendments added to the Inclusionary Affordable Housing Regulations. The request to waive the undergrounding of existing overhead utilities is in accord with City Council policy.

The project was Deemed Complete on October 13, 2004, after the adoption of the Amendments of Chapter 14, Article 2, Division 13, Sections 142.1303 and 142.1306 of the San Diego Municipal Code, all relating to Inclusionary Affordable Housing Regulations. Therefore, the proposed project is subject to the amended regulations.

The Pacific Beach Community Planning Committee has recommended approval of the requested project as submitted.

Conclusion:

The project application is a Tentative Map, Waiver of Undergrounding and Coastal Development Permit for the conversion of eight (8) residential units to condominium ownership with no other entitlements requested or granted with this action. The project will make available residential dwelling units for ownership at more affordable prices than single-family and new condominium units and allow existing renters into ownership.

ALTERNATIVES

1. **Approve** Tentative Map and Waiver of Undergrounding No. 148367 and Coastal Development Permit No. 204655 **with modifications.**
2. **Deny** Tentative Map and Waiver of Undergrounding No. 148367 and Coastal Development Permit No. 204655 **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

Jeff Strohminger
Assistant Deputy Director, Project Management Division
Development Services Department

Laura C. Black
Development Project Manager
Development Services Department

Attachments:

1. Aerial Photographs
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. Draft Coastal Development Permit with Conditions
8. Draft Coastal Development Permit Resolution with Findings
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Project Chronology
12. Copy of Notices Provided Tenants
13. City Council Undergrounding Schedule
14. City Council Policy 600-25, Undergrounding