

**DATE ISSUED:** September 29, 2005                      REPORT NO. PC-05-284

**ATTENTION:** Planning Commission, Agenda of October 13, 2005

**SUBJECT:** 2633-39 C Street TENTATIVE MAP PROJECT NO. 63808. PROCESS 4

**OWNER/  
APPLICANT:** Catherine M. Thero (Attachment 6)  
Robert Bateman

**SUMMARY**

**Issue** – Should the Planning Commission approve an application for a Tentative Map to convert six residential units into condominiums and waive the requirement to underground the existing overhead utilities?

**Staff Recommendations -**

1.     **Approve** Tentative Map No. 190399and
2.     **Approve** a waiver to the requirement for the undergrounding of the existing overhead utilities

**Community Planning Group Recommendation** – On June 2, 2005, the Greater Golden Hill Planning Committee voted 70-0 to recommend approval of the project with conditions as discussed in the discussion section of the Staff Report (Attachment 10).

**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 application are paid for by the applicant.

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

**Housing Impact Statement** – With the proposed conversion of the six existing apartments to condominiums, there will be a loss of six rental units and a gain of six for-sale units. This condominium conversion project was deemed completed on February 25, 2005and is therefore subject to the new regulations regarding the inclusionary

housing and tenant relocation assistance.

## **BACKGROUND**

The 0.161-acre site is located at 2633-39 C Street in the GH-1250 zone of the Golden Hill Planned District within the Greater Golden Hill Community Planning area (Attachments 1 and 2). The property is designated for residential use. The site is currently developed with one two-story building containing four one-bedroom units and two two-bedroom units. There are six existing surface parking spaces provided at the rear of the site accessed from the alley. The project will provide three additional spaces for a total of nine, at the request of the community planning committee. The project is surrounded by multi-family residential uses.

The building permit for this project was issued in 1957. The property was zoned R-4, a multi-family residential zone. At the time of construction this zone had no density or parking requirements. In 1992, two additional units were added which were subject to the development requirements. There are no Building or Zoning Code Violations recorded against this property.

## **DISCUSSION**

### Project Description:

The project proposes a Tentative Map for the subdivision of the 0.161 -acre site to convert six multi-family dwelling units into condominiums (Attachment 4). The applicant is also requesting that the requirement for the undergrounding of the existing overhead utilities be waived.

Section 125.0401 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 Map and Condo Conversions*, the decision maker may approve a Tentative Map for the conversion of residential units into condominiums if the decision maker finds that proposed project complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed project for condominium conversion and has determined that it complies with 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 for the requirement to underground the existing overhead utilities within the boundaries of the subdivision or within the abutting public right-of-way. Staff has determined that the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, *Underground Conversion of Utility Lines at the Developers Expense*, in that the conversion is a requirement for 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 services to any new or proposed structure within the subdivision. The draft Tentative Map resolution includes this requirement under general condition No. 4 (Attachment 3).

The power pole and overhead utility lines are located along the rear alley. The City's Undergrounding Master Plan for fiscal Year 2006 designates the site within Block 8-A, and the undergrounding allocation year is 2007 (Attachment 9). The undergrounding typically takes place one year from the date of the allocation.

Community Planning Group Recommendation:

On June 2, 2005, the Greater Golden Hill Planning Committee voted 7-0-0 to recommend approval of the project but asked that additional parking be provided on site. The applicant provided three additional parking spaces on the plans.

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 December 8, 2004 (Attachment 8).

All condominium conversion projects Deemed Completed after February 7, 2004, must conform to the new regulations regarding the inclusionary housing and tenant relocation benefits adopted by City Council on March 15, 2004. This project was deemed completed on February 25, 2005, and is therefore subject to the new regulations. The project has been conditioned to require the applicant to pay an Inclusionary Affordable Housing In-Lieu Fee of \$4,025 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 the 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 the Tentative Map for the conversion of the six residential units into condominiums and the request to waive the requirement for the undergrounding of overhead utilities, it was determined that the project is in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and Council Policy 600-25 regulating undergrounding of the existing overhead utilities. Staff believes that the required findings can be supported and recommends that the Planning Commission approve the proposed project.

## **ALTERNATIVES**

1. **Approve** Tentative Map No. 190399 and the waiver to the requirement for the undergrounding of the existing overhead utilities, **with modifications**.
2. **Deny** Tentative Map No. 190399 and the waiver to the requirement for the undergrounding of the existing overhead utilities, **if the findings required to approve the project cannot be affirmed**.

**Respectfully submitted,**

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

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**Nilia Koering  
Project Manager, Customer Support and  
Information Division  
Development Services Department**

Attachments:

1. Project Location Map/Aerial Photograph
2. Community Plan Land Use Map
3. Draft Tentative Map Resolution with Findings and Conditions
4. Tentative Map Exhibit
5. Project Data Sheet
6. Ownership Disclosure Statement
7. Project Chronology
8. 60-Day Notice of Condominium Conversion & Tenant Benefit Summary
9. City's Undergrounding Master Plan- Map Block 8-A
10. Community Planning Group Vote Form