

DATE ISSUED: November 10, 2005 **REPORT NO.** PC-05-329

ATTENTION: Planning Commission, Agenda of November 17, 2005

SUBJECT: 4018-4022 LOUISIANA STREET TENTATIVE MAP - PROJECT NO. 66473. PROCESS 4.

OWNER/

APPLICANT: B3 Properties, LLC., Owners/Applicants (Attachment 9)

SUMMARY

Issue(s) - Should the Planning Commission approve Tentative Map No. 199963 to convert nine existing residential units to condominiums and waive the requirement to underground existing utilities on a 0.16 acre site located at 4018-4022 Louisiana Street in the MR1250B zone of the Mid-City Communities Planned District within the Greater North Park Community Plan area?

Staff Recommendation -

1. APPROVE Vesting Tentative Map No. 199963 and waive the requirement to underground existing utilities.

Community Planning Group Recommendation - The Greater North Park Planning Committee, on July 0 , 2005 voted 11:0:0 to approve the project.

Environmental Review - The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301(k) as "Existing Facilities."

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 nine existing apartments to condominiums, there would be a loss of 9 rentals units and a gain of 9 for-sale units. This Tentative Map request was deemed complete subsequent to February 7, 2004, and therefore is required to comply with the inclusionary affordable housing requirements.

BACKGROUND

The Land Use Element of the Greater North Park Community Plan designates the site for Medium to High Density Residential at 30-35 dwelling units per acre (Attachment 1). According to the Land Use Element, between five and six dwelling units could be constructed on-site. The 0.16 acre site has been developed at an approximate density of 56 dwelling units per acre (Attachment 2). Within areas designated for attached housing, the Greater North Park Community Plan does not address the issue of single versus condominium or fractional ownership. The 0.16 acre site is located at 4018-4022 Louisiana Street in the MR1250B zone of the Mid-City Communities Planned District within the Greater North Park Community Plan area (Attachment 3). The surrounding land uses are multi-family residential development.

The existing development was constructed in 1986 (Attachment 4). At the time the property was developed the approved construction met all current regulations. The site is presently improved with one two-story, nine unit apartment building. Within the building there is a total of four two bedroom units with 644 square feet of living area, four one bedroom units with 444 square feet, and one two bedroom unit with 626 square feet. The original development provided and maintains thirteen parking spaces.

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 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 current application proposes a Tentative Map (Attachment 5) to convert the existing nine residential units to condominiums. Utilities are existing above grade located in the alley behind the building. The power pole and lines are on the opposite side of the alley from the building. No physical changes to the developed site are proposed or will occur should the Planning Commission action be to approve the application.

Section 125.0410 of the San Diego Municipal Code (SDMC) requires a Tentative Map be processed for the subdivision of land. According to SDMC §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 the proposed conversion complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code (Attachment 6). Staff has reviewed the proposed condominium conversion and determined it complies with both the Subdivision Map Act and San Diego Municipal Code.

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 involves a short span of overhead facilities less than a full block in length, the conversion would represent an isolated undergrounding with a minimum probability of extension in the future, 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. 5 of the draft Tentative Map resolution (Attachment 5).

An existing power pole is approximately 20 feet west of the site. Neighboring sites adjacent and across the alley from the subject property receive electrical, telephone and/or cable service from these overhead lines. Undergrounding those services would disrupt properties not included in the proposed project. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 3R, and is proposed to be undergrounded in Fiscal Year 2016 (Attachment 7).

CONDOMINIUM CONVERSION REGULATIONS

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 Condominium was provided to the tenants on January 2, 2005 (Attachment 8).

All condominium conversion projects deemed complete on or after February 7, 2004, must comply with new regulations addressing inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. This proposed project was deemed complete on April 14, 2004, is subject to these regulations and has been conditioned to comply with the requirements.

CONCLUSION

Staff has reviewed the request for a Tentative Map for the conversion of nine residential units into condominiums and to waive the requirement to underground existing utilities and has determined the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps. Staff has provided draft findings to support approval of the Tentative Map (Attachment 6) and recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. Approve Tentative Map No. 199963 and waive the requirement to underground existing utilities, with modifications.
2. Deny Tentative Map No. 199963 and waive the requirement to underground existing utilities, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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HALBERT/JSF

- Attachments:
1. Community Plan Land Use Map
 2. Aerial Photograph
 3. Project Location Map
 4. Building Records
 5. Tentative Map
 6. Draft Map Conditions and Subdivision Resolution
 7. City's 2004 Master Underground Program
 8. Government Code 66452.3; self-certification statement
 9. Ownership Disclosure Statement
 10. Community Planning Group Recommendation
 11. Project Chronology
 12. Project Data Sheet