

DATE ISSUED: February 9, 2006 REPORT NO. PC-06-031

ATTENTION: Planning Commission, Agenda of February 16, 2006

SUBJECT: 3151 LINCOLN TENTATIVE MAP- PROJECT NO. 77792
PROCESS 4

**OWNER/
APPLICANT:** LV 20 LLC/(Attachment 8)
Burkett & Wong

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map to convert ten apartment units into condominiums and the request to waive the requirement to underground existing overhead utilities?

Staff Recommendation: APPROVE Tentative Map No. 241274 and APPROVE the request to waive the requirement to underground existing overhead utilities.

Community Planning Group Recommendation: On November 17, 2005 the Greater North Park Planning Committee voted 7-3-1 to recommend denial of the Tentative Map. (See Community Planning Group Discussion below).

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, 15301(k), Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on August 22, 2005.

Fiscal Impact Statement: All costs associated with the processing of this application are paid for by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: The proposed project is the conversion of ten existing apartment units into condominiums. There would be a loss of ten rental units and a gain of ten for-sale units. This condominium conversion project is required to comply with the inclusionary housing requirements and tenant relocation assistance program, which are conditions of the proposed Tentative Map (Attachment 6). The applicant has chosen to pay in-lieu fees in place of providing Affordable Units on-site in accordance with the City's Inclusionary Housing Ordinance.

BACKGROUND

The 0.16 acre site is located at 3151 Lincoln Avenue in the MR-800B zone of the Mid City Planned District. The development is located on two parcels and designated Residential with a density range of 10-15 dwelling units per acre within the Greater North Park Community Planning area (Attachment 2). The surrounding area is developed with multi-family and single family developments to the north, south, east, and west.

DISCUSSION

Project Description:

The project proposes to convert the existing ten apartments into condominiums. There are no zoning or code violations associated with the property. The complex was constructed in 1952 and consists of a two story, wood frame construction, stucco building. The structure was in conformance with the development codes in effect at the time.

Project Related Issues

The proposed condominium conversion will represent a change in ownership of each unit. The applicant has provided City staff with copies of the required 60-day Notice of Intent to Convert to Condominiums (Attachment 10), 180 day Notice to Tenants of Intention to Convert (Attachment 11) and a Tenant Benefits Summary Notification for Condominium Conversion (Attachment 12).

All condominium conversion projects deemed complete on or after February 7, 2004, must conform to the regulations regarding inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. Conditions Nos. 9 and 10 in the draft Tentative Map resolution require compliance with this ordinance (Attachment 12).

Community Plan Group Discussion:

On November 17, 2005 the Greater North Park Planning Committee voted 7-3-1 to recommend denial of the Tentative Map. The group contends the project lacks sufficient parking for current and future occupants of the development. Staff has determined that the apartment was in accordance with parking regulations at the time of construction. Six parking spaces were provided at the time of construction where 15 spaces are required today. The project does not meet the current parking requirements, however the development maintains previously conforming rights in accordance with Chapter 12, Article 7, Division 1 of the Land Development Code. Any new construction must be built in accordance to current development codes.

Undergrounding Waiver Request

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 parcel or subdivision. Staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, in that it involves a span of under 600 feet. The project's implementation requires the undergrounding of any new utilities to any new or proposed structures within the parcel

or subdivision, per condition 22 of the draft resolution (Attachment 6). Power lines run east to west along Lincoln Avenue. The overhead lines continue for some distance beyond the project location. The City's Undergrounding Master Plan for Fiscal Year 2006 designates the site within Block 3gg. Proposed construction to underground the existing overhead utilities has been set for 2017 (Attachment 13).

Condition No. 23 of the project's resolution states that all on-site utilities serving the subdivision shall be undergrounded with appropriate permits prior to the issuance of the Final Map.

CONCLUSION:

A "Tentative Map for a Condominium Conversion" is a Process Four, Planning Commission decision pursuant to San Diego Municipal Code Section 125.0430. A Tentative Map for Condominium Conversion may be approved if the decision maker finds that the proposed division of land complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and found it to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and land use policies. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code regulations and requirements. Staff recommends approval of the project as proposed.

ALTERNATIVES

1. Approve Tentative Map No. 241274 with modifications.
2. Deny Tentative Map No. 241274 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Jeff Strohminger
Acting Deputy Director, Customer Support and
Information Division
Development Services Department

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Attachments:

1. Aerial Photograph
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. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Chronology
10. 60-Day Notice
11. 180-day Notice to Tenants of Intention to Convert
12. Summary of Tenant Benefits
13. Proposed Undergrounding of Overhead Utilities
14. Photos of Existing Front and Rear Elevations