

**DATE ISSUED:** April 6, 2006                      REPORT NO. PC-06-112  
**ATTENTION:** Planning Commission, Agenda of April 13, 2006  
**SUBJECT:** 4436 56TH STREET TENTATIVE MAP- PROJECT NO. 81567  
**OWNER/  
APPLICANT:** 4438 PROPERTIES LLC (Attachment 8)  
STERLING LAND SERVICES INC.

**SUMMARY**

**Issue(s):** Should the Planning Commission approve a Tentative Map to convert 15 apartment units into condominiums and the request to waive the requirement to underground existing overhead utilities?

**Staff Recommendation:** APPROVE Tentative Map No. 255399 and APPROVE the request to waive the requirement to underground existing overhead utilities.

**Community Planning Group Recommendation:** On February 14, 2006 the Eastern Area Communities Planning Committee voted 8-2-1 to recommend approval of the Tentative Map with no conditions (Attachment 7).

**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 September 16, 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 15 existing apartment units into condominiums. There would be a loss of 15 rental units and a gain of 15 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 the amount of \$31,293 in place of providing Affordable Units on-site in accordance with the City's Inclusionary Housing Ordinance.

## **BACKGROUND**

The .41 acre site is located at 4432 through 4436 56<sup>th</sup> Street in the RM-1-3 Zone of the Central Urbanized Planned District within the Eastern Area Neighborhood of the Mid City Communities Planning Area. The development is located on two parcels designated Residential with a density range of 6-10 dwelling units per acre (Attachment 2). The surrounding area is developed with multi family and single family dwellings to the north, south, east and west. El Cajon Blvd is one block to the north developed with commercial services.

The complex was constructed in 1976 and consists of a wood frame, stucco exterior building. The structure was in conformance with the development codes in effect at the time.

## **DISCUSSION**

### **Project Description:**

The project proposes to convert the existing 15 apartments into condominiums. There are no zoning or code violations associated with the property. The existing multi-unit complex does not comply with current parking requirements providing 24 spaces where 29 are required. Parking is accessed from Adelaide Ave. on the west side of the site. The project consists of two one-bedroom units, 836 square feet each and 13 two-bedroom units ranging in size from 764 square-feet to 897 square-feet each.

### **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), and a Tenant Benefits Summary Notification for Condominium Conversion (Attachment 10).

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 in order to meet the Inclusionary Housing Ordinance requirements. The applicant has elected to pay an in-lieu fee of \$31,293 (Attachment 12).

### **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 the conversion would not represent a logical extension to an underground facility. The project's implementation requires the undergrounding of any new utilities to any new or proposed structures within the parcel or subdivision, per condition 16 and 17 of the draft resolution (Attachment 6). Power lines run east to west along the Adelaide Ave and north to south along 56<sup>th</sup> street adjacent to the site. 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 7h. Proposed construction to underground

the existing overhead utilities has not been determined (Attachment 12).

**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. 255399 with modifications.
2. Deny Tentative Map No. 255399 if the findings required to approve the project cannot be affirmed.

**Respectfully submitted,**

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

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**William Zounes**  
**Customer Support and**  
**Information Division**  
**Development Services Department**

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/Summary of Tenant Benefits

11. Proposed Undergrounding of Overhead Utilities
12. Photos of Existing Front and Rear Elevations