

**DATE ISSUED:** May 4, 2006                      REPORT NO. PC-06-122  
**ATTENTION:** Planning Commission, Agenda of May 11, 2006  
**SUBJECT:** 3265 C STREET VESTING TENTATIVE MAP- PROJECT NO. 79596  
**OWNER:** Davidson Family Housing Partners (Attachment 8)  
**APPLICANT:** Herman Bateman

**SUMMARY**

**Issue(s):** Should the Planning Commission approve a Tentative Map to convert 62 apartment units into condominiums and the request to waive the requirement to underground existing overhead utilities?

**Staff Recommendation:** APPROVE Tentative Map No. 249864 and APPROVE the request to waive the requirement to underground existing overhead utilities.

**Community Planning Group Recommendation:** On January 25, 2006 the Greater Golden Hill Planning Committee voted 7-1-0 to recommend approval of the Vesting Tentative Map with comments (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 August 30, 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 62 existing apartment units into condominiums. There would be a loss of 62 rental units and a gain of 62 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 Vesting Tentative Map (Attachment 6). The applicant has chosen to pay in-lieu fees in the amount of \$ 84,990 in place of providing Affordable Units on-site in accordance with the City's Inclusionary Housing Ordinance.

## **BACKGROUND**

The .97 acre site is located at 3265 C Street in the GH-1500 zone of the Golden Hill Planned District within the Golden Hill Community Planning area. The development is located on 12 parcels designated multi family residential (Attachment 2). The surrounding area is developed with an elementary school and residential developments to the north, a multi-family development to the south, a vacant lot to the west and a mix of multi and single family developments to the south.

The complex was constructed in 1986 and consists of six, wood frame, stucco exterior residential buildings. The apartment complex was in conformance with the development codes in effect at the time of construction

## **DISCUSSION**

### **Project Description:**

The project proposes to convert the existing 62 apartments into condominiums. There are no zoning or code violations associated with the property. The existing multi-unit complex provides 76 parking spaces where 94 are required by current zoning regulations. The project consists of 18 studio units of 400 square feet each, 33 one-bedroom units of 560 square feet each, and 11 two bedrooms of 756 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), Notice of intention to convert 180-day notice (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. The applicant has chosen to pay in-lieu fees in the amount of \$84,990 in place of providing Affordable Units on-site in accordance with the City's Inclusionary Housing Ordinance.

### **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 involves a short span of overhead facility (less than 600 feet in length) and it has been determined that such conversion is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area. The project's implementation requires the undergrounding of any new utilities to any new or proposed structures within the parcel or subdivision, per condition 15 of the draft resolution (Attachment 6). Power lines run east to west adjacent to the site along C Street and north to

south along 33<sup>rd</sup> Street. 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 8c Proposed construction to underground the existing overhead utilities has been scheduled for 2008 (Attachment 13).

Community Plan Group Recommendation:

On January 25, 2006 the Greater Golden Hill Planning Committee voted 7-1-0 to recommend approval of the Tentative Map with the following comments (Attachment 7):

- The parking does not conform to the city standards.
- Request for waiver of utility undergrounding is not supported. All Tentative Map conversion projects should be undergrounded as part of the construction process.

Staff has determined that the apartment was in accordance with parking regulations at the time of construction. Seventy-six parking spaces were provided at the time of construction where 94 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.

Condition 16 of the draft Map Resolution requires the applicant to underground all existing utilities serving the site prior to the recordation of the Final Map. The existing overhead utilities and utility poles within the public right of way, adjacent to the site, are scheduled for undergrounding in 2008 as discussed above.

**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. 249864 with modifications.
2. Deny Tentative Map No. 249864 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
11. 180-Day Notice
12. Summary of Tenant Benefits
13. Proposed Undergrounding of Overhead Utilities
14. Photos of Existing Front and Rear Elevations