



THE CITY OF SAN DIEGO

## REPORT TO THE HEARING OFFICER

HEARING DATE: March 2, 2005      REPORT NO. HO-05-027

ATTENTION: Hearing Officer

SUBJECT: ARIZONA CONDO MAP WAIVER  
PROJECT NUMBER: 42577

LOCATION: 4630 Arizona Street

APPLICANT: Robert J. Bateman, San Diego Land Surveying for Uptown Homes II, LLC

### **SUMMARY**

**Requested Action** - Should the Hearing Officer approve a Map Waiver application to waive the requirements for a Tentative Map to create three (3) residential condominiums from one (1) existing residence and two (2) residences under construction and a request to waive the requirement to underground existing overhead utilities?

### **Staff Recommendation** -

1. Approve Map Waiver No. 23808, including the request to waive the requirement to underground existing overhead utilities.

**Community Planning Group Recommendation** - On November 19, 2004, the Greater North Park Planning Committee voted 7-5-1 in favor of this project with conditions.

**Environmental Review** - The proposed activity is exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines.

### **BACKGROUND**

The subject property located at 4630 Arizona Street (between Adams Avenue and Madison Avenue) is a 7,518 square foot site in the MR-1750 zone of the Mid-City Communities Planned District within the Greater North Park Community Plan area. Currently, there are two new 1,563 square foot residential units being constructed in the rear of the property.

They are permitted by City of San Diego Building Permit No. C30021604. The proposed three (3) story residential units with four (4) lower level off-street parking spaces conform to all development criteria for the MR-1750 zone.

## **DISCUSSION**

This project will require a Map Waiver to waive the requirements for a Tentative Map to create three (3) residential condominiums from one (1) existing residence and two (2) residences under construction. The existing residence (currently vacant) is a 1,056 square foot house located in the front of the property with two off-street parking spaces behind it. The two units in the rear have yet to obtain a Certificate of Occupancy.

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 and the conversion would not represent a logical extension to an under-grounding facility. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision.

The City's Under-grounding Master Plan for Fiscal Year 2004 designates Arizona Street scheduled for undergrounding in 2008.

The applicant has chosen to enter into an agreement with the City of San Diego Housing Commission to pay an 'in-lieu fee' to comply with the Inclusionary Housing Ordinance and this condition is included in the Map Waiver resolution.

On November 19, 2004, The Greater North Park Planning Committee voted 7-5-1 in favor of the project with four conditions:

1. Save historic sidewalk stamps and scoring. **Land Development Code Section 142.0506(j)(5) requires that driveway entrances crossing a sidewalk maintain the scoring pattern and color used in the adjacent sidewalk areas. As a part of any permit, when applicable, Engineering and Permit Planning would require historic sidewalk stamps and scoring of existing sidewalks be preserved.**
2. New and appropriate landscaping. **The applicant has previously conforming rights to maintain the site as approved at the time of construction. No additional Engineering or Landscape conditions regarding this issue were required by City Staff.**
3. Maximize on-street parking. **The applicant has previously conforming rights to maintain the site as approved at the time of construction.**

4. Deny request for Underground Utility Waiver. **Based on the preceding information regarding the undergrounding of the existing utilities, staff continues to support the undergrounding waiver request.**

The proposal as conditioned, meets all applicable regulations set forth in the MR-1750 zone.

Staff has not received any negative communication regarding this proposed project.

### **CONCLUSION**

The project application is a Map Waiver and Waiver of Undergrounding for the conversion of three (3) residential units to condominium ownership with no other entitlements requested or granted with this action.

### **ALTERNATIVE**

1. Approve Map Waiver No. 23808 with modifications.
2. Deny Map Waiver No. 23808 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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John Cruz, Development Project Manager

#### Attachments:

1. Community Plan Land Use Map
2. Project Data Sheet
3. Project Plans (Hearing Officer only)
4. Draft Map Conditions and Subdivision Resolution
5. Community Planning Group Recommendation
6. Ownership Disclosure Statement

Rev 6-15-04 dcj