

**DATE ISSUED:** May 15, 2006                      REPORT NO. PC-06-054

**ATTENTION:** Planning Commission, Agenda of May 25, 2006

**SUBJECT:** 4516 PARK TENTATIVE MAP  
PROJECT NO. 82146, PROCESS 4

**OWNER** 4516 Park Boulevard LLC (Attachment 6)

**APPLICANT:** Vernon Franck

**SUMMARY**

**Issue** – Should the Planning Commission approve an application for a Tentative Map to convert seven residential units into condominiums and waive the requirement to underground the existing overhead utilities?

**Staff Recommendations -**

1. **Approve** Tentative Map No. 257496 and
2. **Approve** a waiver to the requirement for the undergrounding of the existing overhead utilities.

**Community Planning Group Recommendation** – On December 6, 2005, the Uptown Planners voted 1-5-2 to recommend approval of the project with conditions. Please reference the Discussion section of the report (Attachment 9).

**Environmental Review** – This project is exempt from environmental review pursuant to Article 19, Section 15301 (k), Existing Facilities, of the California Environmental Quality Act (CEQA). This project is not pending an environmental appeal. The environmental exemption determination for this project was made on October 5, 2005, and the opportunity to appeal that determination ended October 18, 2005.

**Fiscal Impact** – None with this action. All costs associated with the processing of this application are paid for by the applicant.

**Code Enforcement Impact** - None with this action.

**Housing Impact Statement** – With the proposed conversion of the seven existing apartments to condominiums, there will be a loss of seven rental units and a gain of seven for-sale units. This condominium conversion project was deemed completed on September 15, 2005 and is therefore subject to the new regulations regarding the inclusionary housing and tenant relocation assistance.

## **BACKGROUND**

The 0.16 -acre is located at 4516 Park Boulevard in the CV-3 zone of the Mid City Communities Planned District of the Uptown Community Planning area (Attachments 1 and 2). The property is developed with one two-story building containing seven apartment units and a four-car garage. Eight additional parking spaces are located at the rear of the building for a total of 12 parking spaces. All parking spaces area accessed from the alley. The units are currently vacant. The property is designated for commercial and residential uses within the Uptown Community Planning area and not located within a redevelopment area. The project is surrounded by residential and commercial uses.

The original project was approved for construction in 1990 when the site was in its current zone (CL-4). At the time building permits were approved, the project site allowed seven units. Seven units were constructed and seven units exist as follows:

- Two, 1-bedroom/1 bath units: 555 square feet
- Three, 2-bed/2 bath units: 895 square feet
- One, 2 bed/2 bath unit 775 square feet
- One, 3-bed/2 bath unit 850 square feet

At the time building permits were approved, the project required 12 off-street parking spaces. Twelve off-street parking spaces are proposed to remain on-site where 14 spaces would be required today. There are no Building or Zoning Code Violations recorded against this property.

## **DISCUSSION**

### **Project Description:**

The project proposes a Tentative Map for the subdivision of the .06 -acre site to convert seven apartments into condominiums (Attachment 4). The applicant is also requesting that the requirement for the undergrounding of the existing overhead utilities be waived.

Section 125.0401 of the San Diego Municipal Code (SDMC) requires that a Tentative Map be processed for the subdivision of land. According to SDMC Sections 125.0440 and 125.0444, *Findings for Tentative Map and Condo Conversions*, the decision maker may approve a Tentative Map for the conversion of residential units into condominiums if the decision maker finds that proposed project complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed project for condominium

conversion and has determined that it complies with Subdivision Map Act and the San Diego Municipal Code.

#### Undergrounding Waiver Request

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver for the requirement to underground the existing overhead utilities within the boundaries of the subdivision or within the abutting public right-of-way. Staff has determined that the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, *Underground Conversion of Utility Lines at the Developers Expense*, in that the conversion is a requirement for a condominium conversion of an existing development and the conversion would not represent a logical extension to an undergrounding facility. The applicant would be required to underground any new services to any new or proposed structure within the subdivision. Three power poles and overhead utility lines are located within the alley at the rear. The City's Undergrounding Master Plan for fiscal Year 2006 designates the site within Block 3-W, and the undergrounding allocation year is 2012 (Attachment 8). The undergrounding typically takes place one year from the date of the allocation.

#### Project Related Issues:

The requested conversion of these residential units to condominiums represents primarily a change in ownership.

All condominium conversion projects Deemed Completed after February 7, 2004, must conform to the new regulations regarding the inclusionary housing and tenant relocation benefits adopted by City Council on March 15, 2004. This project was deemed completed on June 2, 2005, and is therefore subject to the new regulations. The project has been conditioned to require the applicant to pay an Inclusionary Affordable Housing In-Lieu Fee of \$6,775.00, pursuant to the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code); and demonstrate conformance with the Municipal Code provisions for the Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the City Manager and the Housing Commission, prior to the recordation of the Final Map.

#### Community Planning Group Recommendation:

On December 6, 2005, the Uptown Planners recommended approval of the project with conditions as noted in Attachment 9. The applicant has agreed to the applicable conditions which include all but the recommendation for compliance with current landscape standards and street tree requirements. The project is consistent with all other conditions.

#### CONCLUSION

Staff has reviewed the request for the Tentative Map for the conversion of the seven residential units into condominiums and the request to waive the requirement for the undergrounding of

overhead utilities, and it was determined that the project is in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and Council Policy 600-25 regulating undergrounding of the existing overhead utilities. Staff believes that the required findings can be supported and recommends that the Planning Commission approve the proposed project.

**ALTERNATIVES**

1. **Approve** Tentative Map No. 257496 and the waiver to the requirement for the undergrounding of the existing overhead utilities, **with modifications**.
2. **Deny** Tentative Map No. 257496 and the waiver to the requirement for the undergrounding of the existing overhead utilities, **if the findings required to approve the project cannot be affirmed**.

**Respectfully submitted,**

---

**Mike Westlake**  
**Program Manager**  
**Development Services Department**

---

**Sandra Teasley, Project Manager**  
**Development Services Department**

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Draft Tentative Map Resolution with Findings and Conditions
4. Tentative Map Exhibit
5. Project Data Sheet
6. Ownership Disclosure Statement
7. Project Chronology
8. City's Undergrounding Master Plan- Map Block 3-W
9. Community Planning Group Recommendation
10. Photographs of Existing Front and Rear Elevations
11. 60-Day Notice