



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** June 15, 2007                      **REPORT NO:** PC-07-070

**ATTENTION:**            **Planning Commission, Agenda of June 21, 2007**

**SUBJECT:**                1209 AZUSA TENTATIVE MAP; PROJECT NO. 94628  
PROCESS FOUR

**OWNERS:**                Riley Azusa LLC (Attachment 8)

**APPLICANT:**            David Cutchin

### SUMMARY

**Issue:** Should the Planning Commission approve a Tentative Map for the conversion of eight existing residential units to condominiums at 1209 through 1215 Azusa Street, within the Linda Vista Community Plan Area?

**Staff Recommendation:**

Approve Tentative Map No. 305627.

**Community Planning Group Recommendation:** The Linda Vista Planning Committee voted 13-3-0 to recommend approval of the proposed project on February 26, 2007 with no conditions (Attachment 7).

**Environmental Review:** This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19 Section 15301 on February 24, 2006. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on July 31, 2006. The scope of the subject hearing only includes the project, and not the environmental determination.

**Fiscal Impact Statement:** None with this action. All costs associated with the processing of this project are paid by the applicant.

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

**Housing Impact Statement:** With the proposed conversion of eight existing apartments

to condominiums, there would be a loss of eight rental units and a gain of eight for-sale units. This condominium conversion project was deemed complete on February 17, 2006, and is therefore subject to regulations regarding inclusionary housing and tenant relocation assistance.

## **BACKGROUND**

This Tentative Map project is subject to the condominium conversion regulations in effect prior to June 13, 2006, based on the City Council's specific adoption language for the "new" condominium conversion regulations. At the June 13, 2006, hearing, the City Council specifically excluded all projects that had CEQA appeals pending on or before June 13, 2006. This project is one of those which had a pending appeal. That appeal hearing was held on July 31, 2006, and the City Council denied the appellant's appeal of the CEQA determination of exemption. Therefore, the project can proceed to its discretionary hearing.

The 0.20-acre site is located at 1209 through 1215 Azusa Street at the intersection of Riley Street in the RM-3-7 zone within the Linda Vista Community Plan area (Attachment 3). The site is presently developed with six, one-story structures containing eight, one-bedroom units totaling 448 square feet each. Eight surface parking spaces are provided off the alley along the north side of the property. The site is bounded on the north, east and west by multi-family residential uses and to the south by a San Diego Gas & Electric substation.

The existing improvements were permitted in 1961 – 1964 for eight units with eight parking spaces when the property was zoned R-3. The current zone would allow nine units and require 14 parking spaces. The development complied with the zoning and development regulations in effect at the time of construction and no Building or Zoning code violations have been recorded against the property. The project does not conform with the current parking requirements. The project has previously-conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code.

This application does not include a request to underground existing overhead utilities. The site is within Block 6A of the City's Utilities Undergrounding Projects. Undergrounding for this block of Riley and Azusa Streets is currently underway and scheduled for completion by June 29, 2007.

## **DISCUSSION**

### **Project Description:**

The project proposes a Tentative Map for the subdivision of a 0.20-acre site to convert eight existing dwelling units into condominiums on one existing lot (Attachment 5).

Section 125.0410 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 Maps and for Condominium Conversions*, the decisionmaker may approve a Tentative Map for the purposes of the conversion of residential property into a condominium project if the decision maker finds that the proposed conversion complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and determined that it complies with both the Subdivision Map Act

and the San Diego Municipal Code.

**Project-Related Issues:**

The requested conversion of these residential units to condominiums represents primarily a change in ownership. The applicant has certified that the required 60-day Notices of Intent to Convert to Condominiums were provided to the tenants in April 2006 (Attachment 10).

All condominium conversion projects Deemed Complete on or after February 7, 2004, must conform with the regulations regarding inclusionary housing and tenant relocation benefits. The project has been conditioned to require the subdivider conform with 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 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.

The applicant has elected to pay an in-lieu fee of \$4,480.00 (3,584 square feet x \$1.25) to satisfy the Inclusionary Housing requirement, as allowed by the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

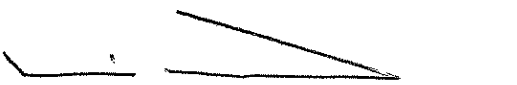
**CONCLUSION**

Staff has reviewed the request for a Tentative Map for the conversion of eight residential units into condominiums and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps. Staff believes the requirement findings can be supported and recommends the Planning Commission approve the project as proposed.

**ALTERNATIVES**

1. **Approve Tentative Map No. 305627, with modifications.**
2. **Deny Tentative Map No. 305627, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

---

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

---

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

WESTLAKE/ST

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. Sample of 60-Day Notice of Intent to Convert
11. Photos of Existing Front and Rear Elevations