



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** July 26, 2007 **REPORT NO:** PC-07-114

**ATTENTION:** Planning Commission, Agenda of August 9, 2007

**SUBJECT:** 2629 B STREET TENTATIVE MAP, PROJECT NO. 96513  
PROCESS FOUR

**OWNERS:** James L. Wermers and Randolph W. Volheim

**APPLICANT:** Terra Surveying Consultants

### SUMMARY

**Issue:** Should the Planning Commission approve a Tentative Map for the conversion of 7 existing residential units to condominiums at 2629 B Street, within the Greater Golden Hill Community Plan Area?

### **Staff Recommendation:**

1. **Approve** Tentative Map No. 313502; and
2. **Approve** waiver to the requirement to underground existing overhead utilities.

**Community Planning Group Recommendation:** On April 12, 2006, the Greater Golden Hill Community Planning Group voted 10-0-0 to approve this project, without recommended 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 and the opportunity to appeal that decision ended on March 17, 2006.

**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 7 existing apartments to condominiums, there would be a loss of 7 rental units and a gain of 7 for-sale units. This condominium conversion project was deemed complete on February 21, 2006, and is therefore subject to the regulations regarding Inclusionary housing and tenant relocation assistance.

## **BACKGROUND**

This Tentative Map project is subject to the condominium conversion regulations effective 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 adopted regulations for additional requirements for landscaping, a building conditions report, onsite inclusionary housing, noticing and parking. Based on the adopted language and project timing, all of these new regulations apply to this project. Accordingly, this project has been reviewed against the new regulations, and this project can proceed to its discretionary hearing.

The 0.16-acre project site is located at 2629 B Street, in the GH-1500 Zone of the Golden Hill Planned District, within the Greater Golden Hill Community Plan (Attachment 3). The site is presently developed with a two-story structure containing 5, two-bedroom units and 2, one-bedroom units. Eleven off-street parking spaces are provided on the site: three spaces are accessed from B Street at the front and eight are accessed from the alley at the rear. The site is bounded on all sides by multi-family residential uses.

The existing improvements were constructed in 1988. At the time the site was constructed it was zoned GHPD-4A and would have allowed for 7 units. Current density requirements would permit 5 units. Current parking regulations in the GH-1500 require 11 parking spaces. The 11 parking spaces provided complied with the parking requirements in effect at the time of construction and current regulations. 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 maximum density of seven units and provides 11 parking spaces where 11 are currently required. The project also has previously-conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code.

## **DISCUSSION**

### **Project Description:**

The project proposes a Tentative Map for the subdivision of a 0.16-acre site to convert 7 existing dwelling units into condominiums on one existing lot (Attachment 5). The applicant is also requesting that the requirement for the undergrounding of existing overhead utilities be waived.

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.

#### Undergrounding of Existing Utilities

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*, the conversion involves a short span of overhead facility (less than 600 feet in length) and the conversion would not represent a logical extension to an underground facility.

The applicant will be required to underground all existing service to the site per Condition No. 20 of the draft Tentative Map resolution (Attachment 6). The applicant would also be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 6 of the draft Tentative Map resolution (Attachment 6).

The neighborhood currently contains power poles and overhead utilities lines in the alley. The utility lines to these poles extend to other properties located north and south within the alley. The pole closest to this property, which carries the line serving this site, is located within the rear alley right-of-way, approximately 5 feet east of this site. As indicated above, all utilities serving this property will be required to be undergrounded. The waiver is being requested for the requirement to underground adjacent utilities serving the surrounding properties. The City's Undergrounding Master Plan for Fiscal Year 2006 designates the site within Block 8A, and the date for undergrounding has been established for the year 2010 (Attachment 10).

#### Community Planning Group and Neighborhood Recommendations:

On April 12, 2006, the Greater Golden Hill Community Planning Group voted 10-0-0 to approve this project without recommended conditions. (Attachment 7).

#### 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 October 25, 2005 (Attachment 11).

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 \$5,360.25 (5,359 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).

#### Building Conditions Report and Landscape Requirements

In accordance with the current regulations, the applicant provided a Building Conditions report and Landscape Concept Plan. Both of these documents have been reviewed for conformance with the applicable regulations within Land Development Code (chapter 14, Article 4, Division 5) and have been accepted by staff as conforming with the regulations.

#### Noticing

The proposed project has been conditioned to conform with all new noticing requirements for condominium conversions.

#### Conclusion:

Staff has reviewed the request for a Tentative Map for the conversion of seven 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.

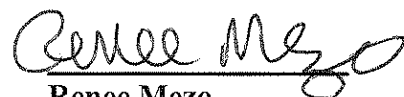
#### ALTERNATIVES

1. **Approve Tentative Map No. 313502, with modifications.**
2. **Deny Tentative Map No. 313502, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



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



**Renee Mezo**  
**Development Project Manager**  
**Development Services Department**

WESTLAKE/ROM

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. Project Chronology
9. City's Undergrounding Master Plan – Map 8A
10. Sample of 60-Day Notice of Intent to Convert
11. Photos of Existing Front and Rear Elevations
12. Landscape Development Plan
13. Building Conditions Report