



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: January 4, 2008 **REPORT NO:** 08-009

ATTENTION: Planning Commission, Agenda of January 10, 2008

SUBJECT: 4070 IOWA STREET TENTATIVE MAP – PROJECT NO. 115824
PROCESS FOUR

OWNER: Michael A. Haralson (Attachment 8)

APPLICANT: Algert Engineering, Inc.

SUMMARY

Issue: Should the Planning Commission approve a Tentative Map for the conversion of nine existing residential units to condominiums at 4070 Iowa Street, within the Greater North Park Community Plan Area?

Staff Recommendation:

1. **Approve** Tentative Map No. 390852; including the request to waive the requirement to underground existing overhead utilities.

Community Planning Group Recommendation: On November 20, 2007, the Greater North Park Community Planning Committee voted 9-1-0 to recommended approval of the project with recommendations as detailed within this report (Attachment 7).

Environmental Review: This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on November 16, 2006, and the opportunity to appeal that determination ended December 8, 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 nine existing apartments to condominiums, there would be a loss of nine rental units and a gain of nine for-sale units. This condominium conversion project was deemed complete on November 2, 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 site is located at 4070 Iowa Street (Attachment 1), on the west side of Iowa Street between Polk Avenue and Lincoln Avenue, in the MR-1250B of the Mid-City Communities Planned District and the Transit Overlay Zone, within the Greater North Community Plan area (Attachment 3). The site is presently developed with one, 2-story structure containing two, 3-bedroom units, three, 2-bedroom units, and four 1-bedroom units. Fourteen off-street parking spaces are provided on the site: four are accessed from Iowa Street at the front and 10 are accessed at the rear. The site is bounded on all sides by multi-family residential uses.

The existing improvements were constructed in 1986 when the site was zoned R-3A, which would allow one unit for every 600 square feet, or 12 units, on the subject site. The existing nine residential units do not conform to current density requirements which allows six units on this site. Current parking regulations would require 14 parking spaces on site and 14 parking spaces are provided. 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 six units; however, the project has previously conforming rights to be maintained as outlined in Chapter 2, 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 into one (1) lot for a nine-unit residential condominium conversion (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*, in that the conversion involves a short span of overhead facilities 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. 22 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. 5 of the draft Tentative Map resolution (Attachment 6).

The neighborhood currently contains power poles and overhead utilities lines in the alley. The power poles serve adjacent properties and are located within the alley right-of-way at the rear of the property. 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 Program designates the site within Block 3GG, and the date for undergrounding has been established for the year 2040 (Attachment 10).

Community Planning Group and Neighborhood Recommendations:

On November 20, 2007, the Greater North Park Community Planning Committee voted 9-1-0 to approve this project with the following recommendations:

1. Implement proposed Site Plan/Landscape Plan as presented including converting tandem parking space (front of site) to landscape entry area and maintain the nine non-tandem parking spaces. *The owner was not able to agree to this due to parking regulations recommendation.*
2. Abandon proposed building redesign; rather refresh and rehab where necessary the existing building style. *The owner has agreed voluntarily to this recommendation.*

Project-Related Issues:

All condominium conversion projects not yet heard by July 25, 2006, must conform with the current regulations regarding: inclusionary housing, tenant relocation benefits, the provision of a building conditions report, conformance with landscape regulations, and conformance with

noticing requirements. This project is required to conform with the new parking regulations for condominium conversions, based on specific language adopted by the City Council. 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 on February 27, 2006 (Attachment 11).

Inclusionary Housing Ordinance and Tenant Relocation Benefits Conformance:

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 \$23,469.50 (6,430 square feet x \$3.65) 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.

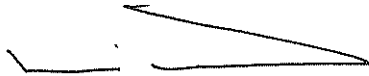
CONCLUSION:

Staff has reviewed the request for a Tentative Map for the conversion of nine existing 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. 390852, with modifications.**
2. **Deny Tentative Map No. 390852, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Derrick Johnson
Development Project Manager
Development Services Department

WESTLAKE/DJ

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. City's Undergrounding Master Plan – Map 3GG
11. Sample of 60-Day Notice of Intent to Convert
12. Photos of Existing Front and Rear Elevations
13. Copy of Building Conditions Report
14. Landscape Plan
15. Schematic Presented to Planning Group

