

DATE ISSUED: August 6, 2004

REPORT NO. PC-04-129

ATTENTION: Planning Commission, Agenda of August 12, 2004

SUBJECT: DUNLOP STREET TENTATIVE MAP – PROJECT NO. 31778
PROCESS FOUR

OWNER/ DAN FLOIT, OWNER

APPLICANT: ARCHSTONE MANAGEMENT CONSULTANTS, APPLICANT

SUMMARY

Issue(s) - Should the Planning Commission approve a Tentative Map for the conversion of twelve (12) existing residential units into condominiums and waive the requirement to underground existing overhead utilities at 2287 Dunlop Street, within the Linda Vista Community Plan area?

Staff Recommendation:

1. **Approve** Tentative Map No. 87021; and
2. **Approve** waiver to the requirement for the undergrounding of the existing overhead utilities.

Community Planning Group Recommendation - The Linda Vista Community Planning Committee voted *-*- to recommend approval of the proposed project on XXXX, 2004, with no recommended conditions (Attachment 7).

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).

Fiscal Impact - 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 twelve existing apartments to condominiums, there would be a loss of twelve rental units and a gain of twelve for-sale

units. This condominium conversion project is required to comply with the inclusionary housing and tenant relocation assistance, which have been included as condition of the Tentative Map.

BACKGROUND

The 0.37-acre site is located at 2287 Dunlop Street, between Ulric and West Dunlop Streets in the RM-3-9 Zone, within the Linda Vista Community Plan area (Attachment 3). The site is presently developed with one, two-story structure containing twelve existing, one-bedroom apartment units and 16 off-street parking spaces. The parking provided conformed with the requirements at the time of construction. The site is surrounded by multi-family residential development to the east, west, and south with commercial development to the west and north.

The existing improvements were constructed in 1985 when the site was within the R-1000 zone. The zone at the time permitted one unit per 1,000 square feet of lot area, which resulted in twelve units on this 16,120-square-foot site. The 16 parking spaces provided comply with the 1985 requirements of 1.3 parking spaces per each, one-bedroom residential unit. 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 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 0.37-acre site to convert twelve existing dwelling units into condominiums on one existing lot (Attachment 5). The applicant is also requesting that the requirement for the undergrounding of the 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 decisionmaker 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 Waiver Request

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 undergrounding facility. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 4 of the draft Tentative Map resolution (Attachment 6).

The neighborhood currently contains power poles and overhead utility lines within the Dunlop Street public right-of-way, directly abutting the subject property. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 6E, and is proposed to be undergrounded in Fiscal Year 2028 (Attachment 10).

COMMUNITY PLANNING GROUP RECOMMENDATION:

The Linda Vista Community Planning Committee recommended approval of the proposed project with no additional conditions at their XXXX, 2004, meeting by a vote of X-X-X (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 Notice of Intent to Convert to Condominiums was provided to the tenants on May 18th and 19th, 2004.

All condominium conversion projects Deemed Complete on or after February 7, 2004, must conform with the new regulations regarding inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. Condition Nos. 10 and 11 in the draft Tentative Map resolution require compliance with this ordinance (Attachment 6).

CONCLUSION:

Staff has reviewed the request for a Tentative Map for the conversion of twelve residential units into condominiums and the request to waive the requirements of the undergrounding of existing overhead utilities, and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and Council Policy 600-25 regulating undergrounding of existing overhead utilities. Staff believes the required findings can be supported and recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. **Approve Tentative Map No. 87021, with modifications.**
2. **Deny Tentative Map No. 87021, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

Jeffrey D. Strohminger
Acting Deputy Director, Project Management Division
Development Services Department

Jeannette Temple, Project Manager
Development Project Manager
Development Services Department

STROHMINGER/JT

Attachments:

1. Aerial Photo
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
9. Project Chronology
10. City's Undergrounding Master Plan – Map 6E
11. Copy of Tenant Notices