

**DATE ISSUED:** September 30, 2004                      **REPORT NO.** PC-04-160

**ATTENTION:** Planning Commission, Agenda of October 7, 2004

**SUBJECT:** IVY STREET TENTATIVE MAP – PROJECT NO. 33032  
PROCESS FOUR

**OWNER/  
APPLICANT:**                      **PAUL J. LINDEN REVOCABLE TRUST** (Attachment 8)  
SAN DIEGO LAND SURVEYING & ENGINEERING, INC.

**SUMMARY**

**Issue(s)** – Should the Planning Commission approve a Tentative Map for the conversion of seven (7) existing residential units into condominiums and waive the requirement to underground existing overhead utilities at 3055 Ivy Street, within the Greater Golden Hill Community Plan area?

**Staff Recommendation:**

1.     **Approve** Tentative Map No. 90450; and
2.     **Approve** waiver to the requirement for the undergrounding of the existing overhead utilities.

**Community Planning Group Recommendation** - The Greater Golden Hill Planning Committee takes “no position” with respect to condominium conversion projects. (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 seven existing apartments to condominiums, there would be a loss of seven rental units and a gain of seven for-sale units. This condominium conversion project was deemed complete on April 15, 2004, and is therefore subject to the new regulations regarding inclusionary housing and tenant relocation assistance

## **BACKGROUND**

The 0.16-acre site is located at 3055 Ivy Street between Fern Street and 31<sup>st</sup> Street in the GH-3000 Zone of the Golden Hill Planned District within the Greater Golden Hill Community Plan area (Attachment 3). The site is presently developed with a 2-story building containing a total of seven residential units (6 two-bedroom units and 1 three-bedroom unit), and 11 parking spaces. Seven surface parking spaces are provided on the east side of the property, which have access from the alley. Three garage spaces and one surface parking space are provided on the west side of the building with access from Ivy Street. The site is surrounded by a mix of single-unit and multi-unit residential development to the north and south, and single-unit residential development to the east and west.

The site is currently zoned GH-3000 and is within the Golden Hill Planned District established in November 1989. Prior zoning of the site included the R-3000 zone established in April 1988, the R-2A zone established in November 1979 and the R-3 zone applied in April 1975. The seven unit apartment was approved for construction in January 1980 subject to the R-3000 zone development regulations, which allowed 7 units on the 6,960-square-foot site and required 11 parking spaces (1.6 spaces per dwelling unit with two or more bedrooms). 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 meet the current density requirement of one unit per 3,000 square feet of lot area of the GH-3000 zone. The current zone would only allow 2 units to be developed on the site and would require 13 parking spaces for the seven unit development. However, 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 0.16-acre site to consolidate 2 lots into one lot and for the conversion of seven multi-family dwelling units into condominiums (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 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. 5 of the draft Tentative Map resolution (Attachment 6).

The neighborhood currently contains power poles and overhead utility lines within the alley right-of-way. There is one power pole located on the south side of the alley and across the project site. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 3-F, and is proposed to be undergrounded in Fiscal Year 2034 (Attachment 10).

#### **COMMUNITY PLANNING GROUP RECOMMENDATION:**

The Greater Golden Hill Planning Committee does not take an official position on condominium conversion projects and therefore no vote/recommendation has taken place concerning this project (Attachment 7).

#### **PROJECT RELATED ISSUES:**

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

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. This proposed project was Deemed Complete on April 15, 2004, and is therefore subject to these new regulations. The project has been conditioned to require the subdivider pay an Inclusionary Affordable Housing In-Lieu Fee of \$3,168.00, 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 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.

**CONCLUSION:**

Staff has reviewed the request for a Tentative Map for the conversion of seven 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. 90450, with modifications.**
2. **Deny Tentative Map No. 90450, if the findings required to approve the project cannot be affirmed.**

**Respectfully submitted,**

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**Marcela Escobar-Eck**  
**Deputy Director, Project Management Division**  
**Development Services Department**

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**Firouzeh Tirandazi**  
**Development Project Manager**  
**Development Services Department**

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**Attachments:**

1. Aerial Photograph of Project Site
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 3-F
11. Copy of Sample Notice to Tenants

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