

DATE ISSUED: January 6, 2005 **REPORT NO.** PC-05-005

ATTENTION: Planning Commission, Agenda of January 13, 2005

SUBJECT: WINONA SQUARE TENTATIVE MAP - PROJECT NO. 33825
PROCESS FOUR

**OWNER/
APPLICANT:** One L. Investments, LLC (Attachment 8)
Landmark Engineering

SUMMARY

Issue(s) – Should the Planning Commission approve a Tentative Map for the conversion of six (6) existing residential units into condominiums and waive the requirement to underground existing overhead utilities at 4483 Winona Avenue, within the Kensington-Talmadge Neighborhood of the Mid-City Communities Plan area?

Staff Recommendation:

1. **Approve** Tentative Map No. 93149; and
2. **Approve** waiver to the requirement for the undergrounding of the existing overhead utilities.

Community Planning Group Recommendation - On July 14, 2004, the Kensington-Talmadge Planning Committee considered the project and voted 9-1-1 in favor of the project with six recommendations, which are discussed in the report (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 six existing apartments to condominiums, there would be a loss of six rental units and a gain of six for-sale units. This condominium conversion project was deemed complete on April 18, 2004, and is therefore subject to the new regulations regarding inclusionary housing and tenant relocation assistance.

BACKGROUND

The 0.144-acre site is located at 4483 Winona Avenue between El Cajon Boulevard and Monroe Avenue in the RM-1-2 Zone of the Central Urbanized Planned District within the Kensington-Talmadge Neighborhood of the Mid-City Communities Plan area (Attachment 3). The site is presently developed with a 2-story building consisting of 6 two-bedroom residential units. The development also provides four off-street parking spaces with access from Winona Street and two off-street spaces in the rear of the property with access from the alley. Surrounding land use consists of multi-unit residential development.

The site is currently zoned RM-1-2 and is within the Central Urbanized Planned District established in October 2000. Prior zoning of the site included the MR-1000B Zone of the Mid-City Planned District established in January 1986, the R-3A Zone applies to the area in May 1975, and the R-4 Zone established in July 1932. The property is also within the Transit Area Overlay Zone applied over the area in October 1992. The six-unit residential complex was constructed in 1969. At the time, the site was zoned R-4 and permitted the six-unit development on the 6,250-square-foot site, and required one parking space per dwelling 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 is not in compliance with the current density requirement of the RM-1-2 Zone, which allows one unit per 2,500 square feet of lot area or a total of 3 units on the subject site. Additionally, the project does not meet the current parking requirement of 11 parking spaces for the six-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 0.144-acre site to consolidate 2 lots into one lot and for the conversion of six 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 a) the conversion involves a short span of overhead facility (less than 600 feet in length), and b) 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. 4 of the draft Tentative Map resolution (Attachment 6).

The neighborhood currently contains power poles and overhead utility lines within the west side of the alley right of way. Service to the site is provided via an overhead utility line connected to a power pole within the alley right of way and approximately 5 feet south of the project site. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 3EE, which is proposed to be undergrounded in Fiscal Year 2005 (Attachment 10).

COMMUNITY PLANNING GROUP RECOMMENDATION:

The Kensington-Talmadge Planning Committee considered the project on July 14, 2004 and voted 9-1-1 to recommend approval of the project subject to the following conditions: grant first right of refusal; allow no waiver for utility undergrounding; provide unencumbered access, a minimum 3-foot width, from the alley to the units and from the street sidewalk to the units; provide landscaping in the alley area and street frontage including foundation planting and two tree wells in driveway between parking spaces and public sidewalk; provide appropriate screening of waste bins and trash bins; preserve historic sidewalk stamps, scoring, color and pattern and require new improvements compatible, but distinguished from historic in design. The project has been conditioned to require first right of refusal. Based on the preceding information, staff continues to support the undergrounding waiver request. The project proposes to convert existing residential units to condominiums with no physical change to the existing development, and has previously conforming rights. The applicant is not required to provide any additional landscaping in accordance with San Diego Municipal Code regulations. As noted on the Tentative Map exhibit, the applicant plans to enclose or screen waste bins in the rear of the property and provide additional landscaping between the parking spaces and west elevation of the building.

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 18, 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 \$2,785.00 based on \$0.50 per square footage fee, 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 six 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. 93149, with modifications.**
2. **Deny Tentative Map No. 93149, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

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

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

ESCOBAR-ECK/FZT

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-3EE
11. Copy of Sample Notice to Tenants

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