

DATE ISSUED: January 20, 2005 REPORT NO. PC-05-009

ATTENTION: Planning Commission, Agenda of January 27, 2005

SUBJECT: ADELAIDE 19 TENTATIVE MAP PROJECT NO. 39304. PROCESS 4

**OWNER/
APPLICANT:** Glieberman Family Trust (Attachment 6)
Carlos Alaniz

SUMMARY

Issue – Should the Planning Commission approve an application for a Tentative Map to convert 19 residential units into condominiums and waive the requirement to underground the existing overhead utilities?

Staff Recommendations:

1. **Approve** Tentative Map No. 112132; and
2. **Approve** waiver to the requirement for the undergrounding of the existing overhead utilities

Community Planning Group Recommendation – The Eastern Area Community Planning Group voted 10-1-0 to recommend approval of the project on September 14, 2004 with no conditions (Attachment 8).

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 application are paid for by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement – With the proposed conversion of the 19 existing apartments to condominiums, there will be a loss of 19 rental units and a gain of 19 for-sale units. This condominium conversion project was deemed completed on June 23, 2004, and is therefore subject to the new regulations regarding the inclusionary housing and tenant relocation assistance.

BACKGROUND-

The .428-acre site is located at 5532 through 5562 Adelaide Avenue, in the RM-1-3 zone of the Central Urbanized Planned District, within the Eastern Area neighborhood of the Mid-City Communities Plan area (Attachments 1 & 2). The site is currently developed with four, two-story buildings containing six one-bedroom and thirteen two-bedroom units, with a total of 31 parking spaces. Parking is located on the first floor within garages accessed through the alley at the rear. The project is surrounded by multi-family residential uses to the east, south and west, and commercial use to the north.

The permit for this development was issued in 1990 when the site was zoned MR-1000 of the Mid-City Communities Planned District and the development met the regulations at that time. Under current RM-1-3 zone, only nine units would be permitted. The development maintains its previously conforming rights as outlined in Chapter 12, Article 7, Division 1, of the Land Development Code. No Building or Zoning Code Violations have been recorded against this property.

DISCUSSION

Project Description:

The project proposes a Tentative Map for the subdivision of a .428-acre site to consolidate four lots into one lot and convert 19 multi-family dwelling units into condominiums (Attachment 4). The applicant is also requesting that the requirement for the undergrounding of the existing overhead utilities be waived.

Section 125.0401 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 Map and Condo Conversions*, the decision maker may approve a Tentative Map for the conversion of residential units into condominiums if the decision maker finds that proposed project complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed project for condominium conversion and has determined that it complies with 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 for the requirement to underground the existing overhead utilities within the boundaries of the subdivision or within the abutting public right-of-way. Staff has determined that the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, *Underground Conversion of Utility Lines at the Developers Expense*, in that the conversion is a requirement for 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 services to any new or proposed structure within the subdivision. The

draft Tentative Map resolutions include general condition No.5 to state this requirement (Attachment 3).

There are two power poles and overhead utility lines located in front of the property along Adelaide Avenue. The City's Undergrounding Master Plan for fiscal Year 2004 designates the site within Block 7H, and the undergrounding allocation year is to be determined by the City Council (Attachment 10).

Project Related Issues:

The requested conversion of these residential units to condominiums, represent 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 April 29, 2004 (Attachment 9).

All condominium conversion projects Deemed Completed after February 7, 2004, must conform to the new regulations regarding the inclusionary housing and tenant relocation benefits adopted by City Council on March 15, 2004. This project was deemed completed on June 23, 2004, and is therefore subject to the new regulations. The project has been conditioned to require the applicant to pay an Inclusionary Affordable Housing In-Lieu Fee of \$15,596, 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 the 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 the Tentative Map for the conversion of the 19 residential units into condominiums and the request to waive the requirement for the undergrounding of overhead utilities, it was determined that the project is in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and Council Policy 600-25 regulating undergrounding of the existing overhead utilities. Staff believes that the required findings can be supported and recommends Planning Commission approves the proposed project.

ALTERNATIVES

1. **Approve** Tentative Map No. 112132, **with modifications.**
2. **Deny** Tentative Map No. 112132, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

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

Nilia Koering
Development Project Manager
Development Services Department

Attachments:

1. Community Plan Land Use Map
2. Project Location Map/Aerial Photograph
3. Draft Tentative Map Resolution with Findings and Conditions
4. Tentative Map Exhibit
5. Project Data Sheet
6. Ownership Disclosure Statement
7. Project Chronology
8. Community Planning Group Vote
9. 60-Day Notice Copy
10. City's Undergrounding Master Plan- Map 7H