

**CITY OF SAN DIEGO
M E M O R A N D U M**

DATE: February 23, 2005

TO: Planning Commission

FROM: Daniel Stricker, Development Project Manager

SUBJECT: Altadena Avenue Condos, Project Number 51990 – Request for Continuance

At the March 3, 2005 meeting of the Planning Commission, staff will be requesting a Continuance to March 10, 2005 on the applicant's behalf, to allow the Kensington-Talmadge Planning Committee additional time to review the group's Project Review Subcommittee comment, and take action on the subject project. There was a misunderstanding between the applicant and the Planning Committee regarding committee meetings and required documents, which resulted in the request for additional time, after the project was noticed.

DATE ISSUED: February 24, 2005

REPORT NO. PC-05-096

ATTENTION: **Planning Commission, Agenda of March 3, 2005**

SUBJECT: ALTADENA AVENUE CONDOS – PROJECT NO. 51990
PROCESS FOUR

**OWNER/
APPLICANT:** BASIK DEVELOPMENT, LLC
SPENCER STEIN, APPLICANT

SUMMARY

Issue - Should the Planning Commission approve a Tentative Map for the conversion of sixteen (16) existing residential units into condominiums and waive the requirement to underground existing overhead utilities at 4424 Altadena Avenue, within the Kensington-Talmadge neighborhood of the Mid-City Communities Plan area?

Staff Recommendation:

1. **Approve** Tentative Map No. 150016; and
2. **Approve** waiver to the requirement for the undergrounding of the existing overhead utilities.

Community Planning Group Recommendation - On Monday, March 9 the Kensington-Talmadge Community Planning Committee was to have heard and acted on the project. Staff will present their recommendation as a part of the presentation to the Planning Commission. Please see the DISCUSSION section of this report for further information.

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 16 existing apartments to condominiums, there would be a loss of 16 rental units and a gain of 16 for-sale units. This condominium conversion project was deemed complete on December 16, 2004, and is therefore subject to the regulations regarding inclusionary housing and tenant relocation assistance. The applicant has indicated that they will meet the requirements of the Ordinance by selling all of the units to, and at prices affordable to, households earning no more than 150% of the area median income (AMI).

BACKGROUND

The 0.288-acre site is located at 4424 Altadena Avenue, between El Cajon Boulevard and Monroe Avenue, in the CT-2-3 Zone of the Central Urbanized Planned District, within the Kensington-Talmadge neighborhood of the Mid-City Communities Plan area (Attachment 2). The site is also within the Transit Overlay Zone, allowing for a reduced parking requirement. The project site falls within the Commercial/Residential Transition Zone of the Mid-City Communities Plan, allowing for a total of 16-20 dwelling units per acre.

The site is presently developed with one, two-story structure containing eight two-bedroom units and eight one-bedroom units, with off-street parking spaces accommodating 16 vehicles. Ten off-street parking spaces are accessed from the existing alley west of and adjacent to the project site, and six parking spaces are being accessed from Altadena Avenue. The site is surrounded by single and multi-family residential development to the north, multi-family residential development to the east and west, and commercial development to the south.

The project was constructed in 1969. At that time the site was zoned R-4, which allowed for one dwelling unit for each 400 square feet of lot area, which would have allowed for the 16 units. 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 16 off-street parking spaces provided comply with the 1969 requirements, which only required 16 parking spaces for the 16 units. The 16 parking spaces provided would not meet current standards based on bedroom count. 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 0.288-acre site to convert 16 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. 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 5).

The neighborhood currently contains power poles and overhead utility lines within the alley at the rear of the property. There are two power poles located on the west side of the alley to the rear of the site; one opposite the center of the subject property, and the other opposite the north end of the property. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 3EE, and is proposed to be funded for future undergrounding in Fiscal Year 2005 (Attachment 8).

COMMUNITY PLANNING GROUP RECOMMENDATION:

The Kensington-Talmadge Community Planning Committee will hear the project on March 9, 2005 and the results of their action will be discussed during staff's presentation to the Planning Commission. The Kensington-Talmadge Community Planning Committee also heard the project on February 9, 2005 and did not take a formal vote. It is staff's understanding that at the February 9, 2005 meeting of the Kensington-Talmadge Community Planning Committee, the Committee informed the applicant that they would be required to present their project before the Project Review and Neighborhood Improvement Subcommittee prior to presenting to the full Committee, and would be required to provide an elevation rendering of the structure after the apartments are converted to condominiums. Through miscommunication, the applicant was not aware of these two requirements.

On February 23, 2005, the applicant was scheduled to present the project before the Project Review and Neighborhood Improvement Subcommittee, and provided the subcommittee with an elevation rendering as requested. At the time this report went to print, no recommendation had been received from the Project Review and Neighborhood Improvement Subcommittee.

PROJECT RELATED ISSUES:

The applicant has certified that the required 60-day Notice of Intent to Convert to Condominium was provided to the tenants on June 8, 2004 (Attachment 9).

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 December 16, 2004, and is therefore subject to these new regulations. 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.

CONCLUSION:

Staff has reviewed the request for a Tentative Map for the conversion of 16 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. 150016, including the request to waive the requirement to underground existing overhead utilities, with modifications.
2. **Approve** Tentative Map No. 150016 and **Deny** the request to waive the requirement to underground existing overhead utilities.
2. **Deny** Tentative Map No. 150016, including the request to waive the requirement to underground existing overhead utilities, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

**Marcela Escobar-Eck, Deputy Director,
Customer Service and Information Division
Development Services Department**

**Daniel Stricker, Project Manager
Development Project Manager
Development Services Department**

ESCOBAR-ECK/DES

Attachments:

1. Aerial Photograph
2. Community Plan Land Use/Project Location Map
3. Project Data Sheet
4. Tentative Map
5. Draft Map Conditions and Subdivision Resolution
6. Ownership Disclosure Statement
7. Project Chronology
8. City's Undergrounding Master Plan – Map 3EE
9. Certification of 60-Day Notice to Tenants