

DATE ISSUED: April 14, 2005 **REPORT NO.** PC-05-141

ATTENTION: **Planning Commission, Agenda of April 21, 2005**

SUBJECT: BANCROFT STREET TENTATIVE MAP – PROJECT NO. 47815
PROCESS FOUR

OWNER/ RICKMAN II, LLC, OWNER
APPLICANT: BURKETT & WONG, ENGINEERS, APPLICANT

SUMMARY

Issue(s) - Should the Planning Commission approve a Tentative Map for the conversion of eight (8) existing residential units into condominiums and waive the requirement to underground existing overhead utilities at 4633 Bancroft Street, within the Normal heights neighborhood of the Mid-City Communities Plan area?

Staff Recommendation:

1. **Approve** Tentative Map No. 135839and
2. **Approve** waiver to the requirement for the undergrounding of the existing overhead utilities.

Community Planning Group Recommendation - The Normal Heights Community Planning Committee voted 12-0 to recommend approval of the proposed project on November 2, 2004, with specific recommendations detailed within this 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 8 existing apartments to condominiums, there would be a loss of 8 rental units and a gain of 8 for-sale units. This condominium conversion project was deemed complete on August 31, 2004 and is therefore subject to the new regulations regarding inclusionary housing and tenant relocation assistance.

BACKGROUND

The 0.14-acre site is located at 4633 Bancroft Street in the RM -1-2 Zone of the Central Urbanized Planned District within the Normal Heights neighborhood of the Mid-City Communities Plan area (Attachment 3). The site is presently developed with one, two-story structure containing 2 two-bedroom units and 6 one-bedroom units, with off-street parking spaces accommodating 8 vehicles. Five of the off-street parking spaces are in the front of the property, accessed from Bancroft Street, while the remaining four spaces are accessed from the alley at the rear. The site is bounded by multi-family residential development to the east, west, and south.

The existing improvements were constructed in 1959. At that time the site was zoned R-4 and would have allowed for 16 units. There were no parking requirements in effect for multi-family residential uses in 1959; they first became effective in 1960. 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 conform with the current density requirement of one unit per 2,500 square feet in the RM-1-2 Zone, which would only allow three units to be constructed today. Although no offstreet parking spaces were required in 1959 when development occurred, current Land Development Code regulations specify the eight existing off-street parking spaces cannot be reduced or eliminated. Under current criteria, 11 spaces would be required. 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 0.14-acre site to convert 8 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 would not represent a logical extension to an underground facility and the conversion involves a short span of overhead facility (less than 600 feet 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 6).

The neighborhood currently contains power poles and overhead utility lines the alley right-of-way. There is one power pole located at the southeast corner of the site in the alley. The utility lines to this pole extend to others located both north and south within the alley. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 3Z, and the date for undergrounding has been established for the year 2016 (Attachment 10).

COMMUNITY PLANNING GROUP AND NEIGHBORHOOD RECOMMENDATIONS:

The Normal Heights Community Planning Committee voted 12-0 to recommend approval of the proposed project on November 2, 2004, with their standard four specific recommendations: the right of first refusal to purchase be given to current tenants; historic sidewalk stamps/scoring be preserved; new and appropriate landscaping be incorporated into the project; and onsite parking sites be maximized (Attachment 7).

The Tentative Map has been conditioned to provide the right of first refusal to the existing tenants as required by the State Map Act. The Land Development Code requires the preservation of historical sidewalk stamps/scoring. There is no construction proposed with this project, therefore no additional landscaping or parking is required.

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 June 30, 2004 (Attachment 11).

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 August 31, 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 8 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. 135839**with modifications.**
2. **Deny** Tentative Map No. 135839**if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

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

**Michelle Sokolowski
Customer Support and
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ESCOBAR-ECK/MAS

Attachments:

1. Aerial Photograph
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 3Z
11. Copy of 60-Day Notice of Intent to Convert