

DATE ISSUED: May 20, 2005 **REPORT NO.** PC-05-184

ATTENTION: **Planning Commission, Agenda of May 26, 2005**

SUBJECT: ILLINOIS STREET CONDO MAP – PROJECT NO. 48288
PROCESS FOUR

OWNER/ Dan Floit and LM-26, LLC

APPLICANT: Jim Neil, CB Richard Ellis

SUMMARY

Issue(s) - Should the Planning Commission approve a Tentative Map for the conversion of sixteen (16) existing residential units to condominiums and waive the requirement to underground existing overhead utilities at 4504-4518 ½ Illinois Street in the MR-800B Zone of the Mid-City Communities Planned District within the Greater North Park Community Plan area?

Staff Recommendation:

1. **Approve** Tentative Map No. 137420 and
2. **Approve** waiver to the requirement for the undergrounding of the existing overhead utilities.

Community Planning Group Recommendation - On February 15, 2005, the Greater North Park Community Planning Committee voted 9-1-1 to recommend approval of the project with conditions as 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 sixteen existing apartments to condominiums, there would be a loss of sixteen rental units and a gain of sixteen for-sale units. This condominium conversion project was deemed complete after February 7, 2004, and is

therefore required to comply with the new regulations regarding inclusionary housing and tenant relocation assistance, which have been included as conditions of the Tentative Map. The owner has elected to pay the In-Lieu Fee as their method to satisfy the Inclusionary Affordable Housing Requirements.

BACKGROUND

The 0.344 acre site is located at 4504-4518 1/2 Illinois Street, between Meade and Madison Avenues, in the MR-800B Zone of the Mid-City Communities Planned District within the Greater North Park Community Plan area (Attachments 2 and 3). The community plan designates this site for High to Very High Density at 45-55 dwelling units/acre, and the existing residential complex is consistent with this designation. The site is presently developed with two two story structures, containing twelve (12) one-bedroom apartment units, and four (4) two-bedroom units. The site also contains two multi-space garage structures that provide eight (8) off-street vehicle parking spaces. The site is surrounded by multi-family residential development.

The proposed Tentative Map application is to convert a sixteen unit apartment complex on three lots to a sixteen unit residential condominium complex on one lot. The lots have a combined total of approximately 14,985 square feet currently located in the MR-800B zone of the Mid-City Planned District. Prior to May 1989, the property was in the R-4 zone.

The property was constructed in 1952 with eight off-street vehicle parking spaces in garages. Under current parking criteria 26 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 0.344-acre site to convert sixteen existing dwelling units into condominiums on one 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 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 at the rear of the property in the alley. The closest poles are located at both sides of this development. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 3GG, which has been scheduled for undergrounding by the City Council in 2015 (Attachment 10).

COMMUNITY PLANNING GROUP RECOMMENDATION

On February 15, 2005, the Greater North Park Community Planning Committee voted 9-1-1 to approve the project with six conditions, which are listed below:

1. *Maximize on-site parking*: The applicant would maintain the eight existing parking spaces which were required at the time of construction.
2. *Trees be planted in the parkway strip*: Landscape improvements would not be required by the Tentative Map.
3. *New and appropriate landscape as needed*: Landscape improvements would not be required by the Tentative Map.
4. *Right of first refusal to existing tenants*: This is a standard condominium conversion Tentative Map condition. Please see Condition No. 8 of the Draft Resolution (Attachment 6)
5. *Preservation of historic sidewalk stamps and scoring patterns*: This is an existing requirement of the Municipal Code and has been included in the wording of Condition No. 12 of the Draft Resolution.
6. *Deny request to waive undergrounding of overhead utilities*: The applicant's request to waive the requirement to underground existing overhead utilities was reviewed by Engineering staff, who determined that the waiver request met the requirements of City Council Policy 600-25.

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 Condominium was provided to the existing tenants on May 6, 2004 and to potential tenants thereafter (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 after that date and has indicated that they will pay the in-lieu fee for inclusionary housing. Additionally, the draft Tentative Map Conditions Nos. 10 and 11 specifically address the affordable housing and rent relocation requirements.

CONCLUSION:

Staff has reviewed the request for a Tentative Map for the conversion of sixteen (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. 137420with modifications.**
2. **Deny Tentative Map No. 137420if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

**Jeffrey D. Strohminger, Assistant Deputy Director
Customer Support and Information Division
Development Services Department**

**Jeannette Temple
Development Project Manager
Development Services Department**

STROHMINGER/JT

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 3GG
11. Copy of Tenant Notices