

DATE ISSUED: September 8, 2005 REPORT NO. PC-05-263

ATTENTION: Planning Commission, Agenda of September 15, 2005

SUBJECT: 4654 33RD STREET TENTATIVE MAP - PROJECT NO. 59960
PROCESS 4

**OWNER/
APPLICANT:** Edward T. Ma
Michele Edwards (Attachment 8)

SUMMARY

Issue(s): Should the Planning Commission approve an application for a Tentative Map to convert 28 apartments into condominiums?

Staff Recommendation: APPROVE Tentative Map No. 177018

Community Planning Group Recommendation: On April 5, 2005 the Normal Heights Community Planning Committee voted 6-4-1 to recommend approval of the proposed project with conditions (Reference discussion section of the report for additional information).

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, 15301(k), Existing Facilities.

Fiscal Impact Statement: All costs associated with the processing of this application are paid for by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: The proposed project is the conversion of 28 existing apartment units into condominiums. There would be a loss of 28 rental units and a gain of 28 for-sale units. This condominium conversion project is required to comply with the inclusionary housing and tenant relocation assistance program, which are conditions of the proposed Tentative Maps for Condominium Conversions (Attachment 6). The applicant has chosen to pay in-lieu fees in place of designating ten percent of the units as Affordable Units in accordance with the City's Inclusionary Housing Ordinance. accordance with the City's Inclusionary Housing Ordinance.

BACKGROUND

The .43 acre site is located at 4654-4657 33rd Street within the Normal Heights Neighborhood of the Mid City Communities Plan Area Community Plan. The development is located on three parcels of which all parcels are designated residential with a density range of 16-20 dwelling units per acre (Attachment 2). The site is zoned RM-1-2. The surrounding area is developed with multi-family and single family developments to the north, south, east, and west. Also to the north and east are commercial services.

The project is currently developed with a 28-unit apartment complex on three parcels. The complex was constructed in 1958 and consist of three, two story, wood frame construction, stucco buildings. All structures were in conformance with the development codes in effect at the time. The owner plans on modifying and upgrading the landscape to soften the front of the building along 33rd Street.

DISCUSSION

Project Description:

The project proposes to convert the existing 28 apartments into condominiums. There are no zoning or code violations associated with the property. The existing multi-unit complex does not meet the current parking requirements of the current underlying zone, however it will maintain previously conforming rights in accordance with Chapter 12, Article 7, Division 1 of the San Diego Municipal Code (SDMC). The project consists of six studios, nine one-bedroom, 11 two bed room, and two three bedroom dwelling units ranging in size form 471 square feet to 1,086 square feet. The owner plans on renovating the existing units to include new flooring, new kitchen and bathroom appliances, expanded patios, resurfacing ceilings, and new roofs.

Community Plan Analysis:

On April 5, 2005 the Normal Heights Community Planning Committee voted 6-4-1 to recommend approval of the proposed project with the following conditions:

- 1) The proposed conversion includes onsite affordable housing;
- 2) The front parking area be soften with landscape, and;
- 3) The owner considers combining the existing studios to improve the parking ratio.

The applicant has responded to the conditions by informing staff of the following:

- 1) The owner plans on paying the in-lieu fee as oppose to providing onsite affordable housing;
- 2) The owner plans on enhancing the existing landscape to soften the parking area and;

- 3) The owner has elected not to combine the existing studios in fear that it would be to dangerous to knock out load bearing walls.

Project Related Issues

The proposed condominium conversion will represent a change in ownership of each unit. The applicant has provided City with copies of the required 60-day Notice of Intent to Convert to Condominiums (Attachment 11), 180-Days' Notice of Intention to Convert to Condominiums (Attachment 11), and a Tenant Benefits Summary Notification for Condominium Conversion (Attachment 12).

All condominium conversion projects Deemed Complete on or after February 7, 2004, must conform to the new regulations regarding inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. Conditions Nos. 11 and 12 in the draft Tentative Map resolution require compliance with this ordinance (Attachment 6).

Undergrounding Waiver Request

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver of the requirement to underground the existing overhead utilities within the boundary of the parcel or subdivision. Staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, in that it involves a span of under 600 feet. The project's implementation requires the undergrounding of any new utilities to any new or proposed structures within the parcel or subdivision, per condition 6 of the draft resolution (Attachment 6). Power lines run north to south along the alley in the back and along 33rd street in front of the development. The overhead lines continue for some distance beyond the project location. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 3-Z. Proposed construction to underground the existing overhead utilities has been set for 2016 (Attachment 13).

Conclusion:

A "Tentative Map for a Condominium Conversion" is a Process Four, Planning Commission decision pursuant to San Diego Municipal Code Section 125.0430. A Tentative Map for Condominium Conversion may be approved if the decision maker finds that the proposed division of land complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and found it to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and land use policies. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code regulations and requirements. Staff recommends approval of the project as proposed.

ALTERNATIVES

1. Approve Tentative Map No. 177018 with modifications.
2. Deny Tentative Map No. 177018 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Jeff Strohminger
Assistant Deputy Director, Customer Support and
Information Division
Development Services Department

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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. 60-Day Notice
11. 180 Day Notice
12. Summary of Tenant Benefits
13. Proposed Undergrounding of Overhead Utilities